



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Jennifer Villaseñor, Associate Planner *JV*
DATE: November 10, 2009

SUBJECT: APPEAL OF ENVIRONMENTAL ASSESSMENT COMMITTEE DETERMINATION TO PROCESS DRAFT MITIGATED NEGATIVE DECLARATION NO. 08-016 (THE RIDGE 22-UNIT PLANNED UNIT DEVELOPMENT - CONTINUED FROM OCTOBER 27, 2009, WITH THE PUBLIC HEARING OPEN)

APPLICANT: Hearthside Homes, 6 Executive Circle, Suite 250, Irvine, California 92614

APPELLANT: Planning Commission Vice-Chair Blair Farley

LOCATION: 5 acre site located southeast of the intersection of Bolsa Chica Street and Los Patos Avenue

STATEMENT OF ISSUE:

- ♦ This item represents an appeal by Vice-Chair Farley of the Environmental Assessment Committee's (EAC) determination to process Draft Mitigated Negative Declaration (MND) No. 08-016 for "The Ridge" project, a 22-unit Planned Unit Development (PUD) with a 5,776 common open space area.
- ♦ The appeal letter cites the following reasons for the appeal:
 - Potential impacts on the adjacent Environmentally Sensitive Habitat Area (ESHA) due to project grading and site elevation;
 - Potential impacts to cultural resources based on previous projects in the surrounding area;
 - Potential impacts to the groundwater and adjacent ESHA due to project drainage concept, specifically the use of pervious surfaces.
- ♦ This appeal is only to determine the appropriate level of environmental review in accordance with the California Environmental Quality Act for the proposed project. Final action on the approval or denial of Mitigated Negative Declaration No. 08-016 would not occur until action on the project is forwarded to the Planning Commission.

◆ Staff's Recommendation:

Continue processing draft Mitigated Negative Declaration No. 08-016 because:

- Based on the initial study and attached technical reports, a mitigated negative declaration is the appropriate level of environmental review for the proposed project.
- The processing of a mitigated negative declaration is consistent with the provisions of the California Environmental Quality Act (CEQA).
- The potential impacts of the proposed project can be mitigated to less than significant with incorporation of the mitigation measures listed in the attached draft mitigated negative declaration.
- The proposed project will not have a significant effect on the environment and an Environmental Impact Report is not the appropriate level of review.
- The Planning Commission will be able to consider and take action on the mitigated negative declaration, including responses to public comments received within the 30-day public review and comment period, in conjunction with the proposed project entitlements.

RECOMMENDATION:

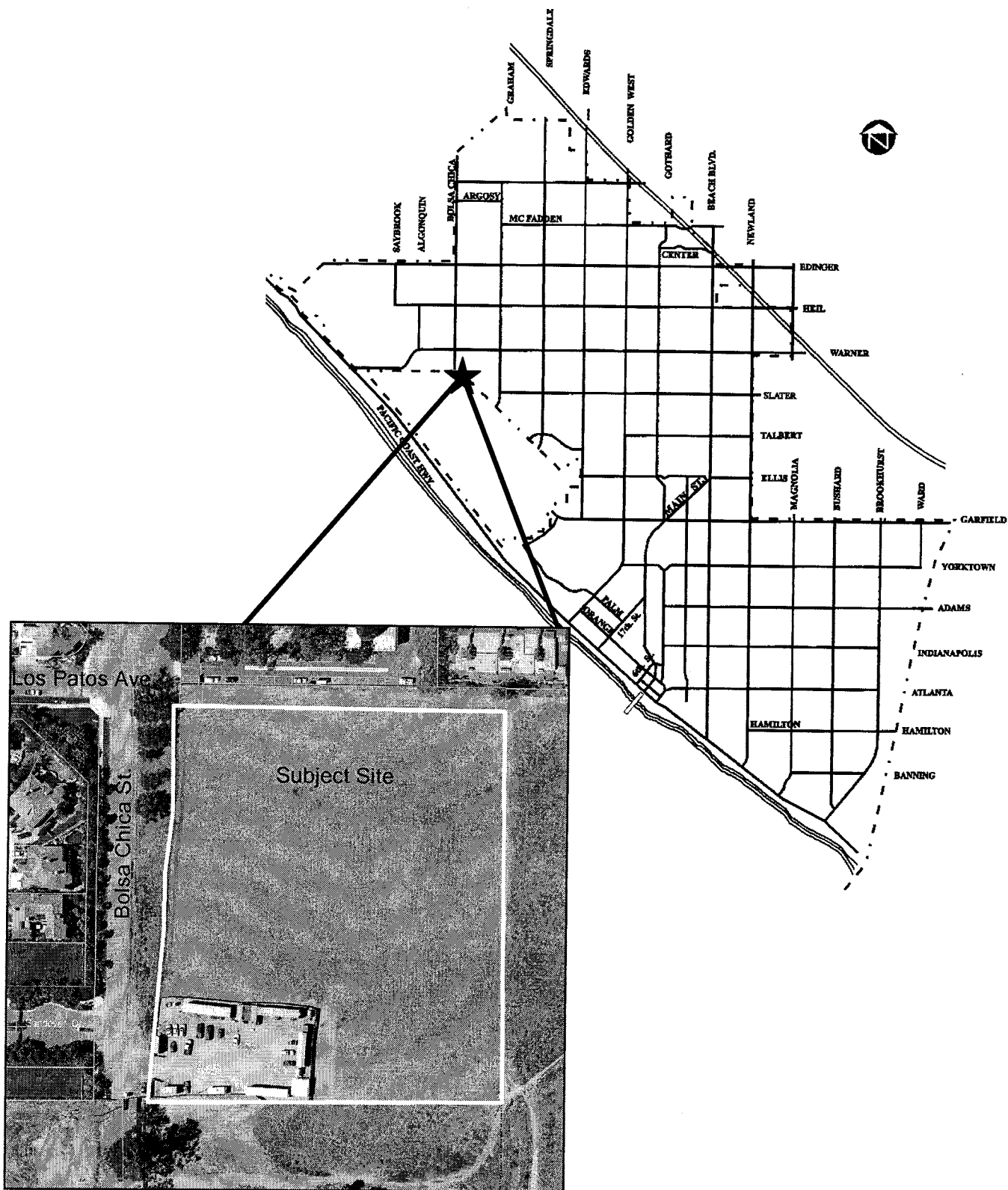
Motion to:

“Continue processing Draft Mitigated Negative Declaration No. 08-016.”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Continue the Appeal of the Environmental Assessment Committee's determination to process Draft Mitigated Negative Declaration No. 08-016 and direct staff accordingly.”
- B. “Direct staff to initiate the process for hiring a consultant to prepare an Environmental Impact Report based on substantial and factual evidence that the proposed project may have a significant environmental impact in accordance with CEQA.”



**VICINITY MAP
APPEAL OF EAC'S DETERMINATION
DRAFT MITIGATED NEGATIVE DECLARATION NO. 08-016
(THE "RIDGE" – 22-UNIT PLANNED UNIT DEVELOPMENT)**

PROJECT PROPOSAL:

Mitigated Negative Declaration No. 08-016 analyzes the potential environmental impacts associated with a request to amend the land use and zoning designations on an existing approximately 5-acre parcel for the subdivision and development of a 22-unit single-family planned unit development (PUD) with a 5,776 square foot common open space area. Draft Mitigated Negative Declaration (MND) No. 08-016 was determined to be the appropriate level of environmental review by the Environmental Assessment Committee on September 2, 2009.

Project Overview

The proposed project involves the following entitlement requests:

- General Plan Amendment: to amend the Land Use Designation from Open Space – Park (OS-P) to Residential Low Density (RL);
- Local Coastal Program Amendment: to amend the certified Land Use Plan from Open Space – Park (OS-P) to Residential Low Density (RL) and to reflect the Zoning Map and Text Amendments described below;
- Zoning Map Amendment: to amend the existing zoning designation of Residential Agriculture – Coastal Zone Overlay (RA-CZ) to Residential Low Density – Coastal Zone Overlay (RL-CZ);
- Zoning Text Amendment: to amend Chapter 210.12 – PUD Supplemental Standards and Provisions to allow flexibility in accommodating the total number of required parking spaces within a PUD development;
- Tentative Tract Map: to subdivide the approximately 5-acre lot into 22 single-family residential parcels and eight lettered lots;
- Coastal Development Permit: to construct 22 single-family residences, common open space and associated infrastructure in the coastal zone; and
- Conditional Use Permit: to permit construction on a site with greater than a three-foot grade differential.

Background:

The project application was deemed complete on June 3, 2009. The Environmental Assessment Committee (EAC), which is composed of a designee of each of the following: Director of Planning, Director of Public Works and City Attorney, held two public meetings at which the draft environmental assessment for the proposed project was considered. The meetings were attended by City staff and members of the public. At the September 2, 2009 meeting, the EAC determined, after a review of all the evidence before the committee, that a mitigated negative declaration shall be processed.

APPEAL:

The appeal letter (Attachment No. 2), filed on September 11, 2009, states the following reasons as the basis for the appeal:

1. Potential impacts on the adjacent Environmentally Sensitive Habitat Area (ESHA) due to project grading and site elevation;
2. Potential impacts to cultural resources based on previous projects in the surrounding area; and
3. Potential impacts to the groundwater and adjacent ESHA due to project drainage concept, specifically the use of pervious surfaces.

ISSUES:

Environmental Status:

A determination as to the level of environmental review for the proposed project is pending Planning Commission action on the appeal of the Environmental Assessment Committee's determination to process Draft Mitigated Negative Declaration No. 08-016. If a determination to proceed is rendered, the draft mitigated negative declaration will, along with the project entitlements, be the subject of a future public hearing.

A 30-day public comment period on draft MND No. 08-016 occurred from September 10, 2009 to October 9, 2009. A total of 18 comment letters were received during the 30-day review period. The public comment letters are provided as Attachment No. 4 to this staff report. If the Planning Commission upholds the EAC's determination to process a mitigated negative declaration for the project, staff will prepare responses to each comment raised in the comment letters.

Coastal Status:

The project area is located within the Coastal Zone. The requested Local Coastal Program Amendment is subject to review and approval by the California Coastal Commission for final action.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The conclusions of Draft MND No. 08-016 were developed in coordination with other City departments including Fire, Community Services and Public Works.

Public Notification:

Legal notice was published in the Huntington Beach Independent on October 15, 2009, and notices were sent to property owners of record and tenants within a 1,000 ft. radius of the subject property, individuals/organizations requesting notification, applicant, and interested parties. No communication regarding the appeal of the EAC's determination have been received. However, a 30-day public review and comment period on the draft mitigated negative declaration has concluded. A total of 18 comment letters were received during the comment period (Attachment No. 4).

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

- Draft MND: June 3, 2009
- General Plan Amendment; Local Coastal Program Amendment; Tentative Tract Map; Coastal Development Permit; Conditional Use Permit: June 3, 2009
- Zoning Text Amendment: August 19, 2009

MANDATORY PROCESSING DATE(S):

Within 180 days of complete application:
February 15, 2010

April 15, 2010

April 15, 2010

ANALYSIS:

Appeal Issues

The appeal letter identifies three issues that the appellant believes would result in significant impacts such that an Environmental Impact Report would be required for the project. Below is an analysis of the issues raised in the appeal letter.

Issue 1: Potential impacts on the adjacent Environmentally Sensitive Habitat Area (ESHA) due to project grading and site elevation

As stated in the geology and soils section of the draft MND, the project would require approximately 4,200 cubic yards of cut and 10,700 cubic yards of fill to raise finished pads on the east side of the project area approximately three to nine feet. During construction grading, the project must comply with the regulations of the State Water Resources Control Board and the City's Municipal Code requiring erosion and sediment controls for construction projects with land disturbance. The requirements include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), with construction-period erosion and sediment controls. The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. The project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The applicant must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and best management practices (BMPs). The draft MND concludes that adherence to the requirements of the specified City and State codes, less than significant impacts from project grading, which includes potential impacts to the adjacent ESHA, would occur.

The project site is at an existing elevation of approximately 38 to 50 feet above mean sea level (msl). The adjacent eucalyptus ESHA on the Shea property to the east is at an approximate elevation of five feet msl. The geology and soils section as well as the hydrology and water quality section of the draft MND analyzes the potential impacts from runoff and erosion of the project site during construction and post-construction taking into account the site's elevation. The draft MND concludes that impacts from runoff and erosion to the ESHA, which is at a lower elevation, would be less than significant. Additionally, the biological resources section of the draft MND identifies the difference in elevation between the project site and the adjacent ESHA and states that the elevation difference combined with the site's distance from the ESHA would serve as a buffer from the ESHA and impacts would be less than significant.

Issue 2: Potential impacts to cultural resources based on previous projects in the surrounding area

Potential impacts to cultural resources were analyzed based on an archeological report that was prepared for the project. As stated in the report and draft MND, the project site is within the archeological site CA-ORA-86. CA-ORA-86 has been the subject of 33 archeological investigations, including nine surveys, five site recordations, five surface collections, five excavation programs, one grading monitoring program, two site inspections, one research design and nine evaluations. In 2001, the entire project site was part of a multi-staged program that included a surface survey, surface artifact collection, a systematic

auger program, backhoe trenching and hand excavations for the investigation of CA-ORA-86. The program resulted in the identification of subsurface remains of a single structure located in the southeast corner of the property. The subsurface remains were completely removed by hand excavation. No other intact deposits were found. Since the project site has been previously investigated for cultural resources, it is not anticipated that deposits would be discovered during construction of the project. However, standard mitigation measures are identified in the event that unanticipated deposits are encountered during grading and construction. The draft MND, based on factual evidence provided in the archeological report, concludes that impacts to cultural resources would be less than significant.

Previous projects in the surrounding area would not provide a justification for finding significant impacts to cultural resources for the proposed project. Other projects in the area include the Sandover and Brightwater developments. Each of those projects conducted environmental review specific to the particular project. In the case of the Brightwater development, an EIR for the project disclosed several archeological sites in the Bolsa Chica area, including CA-ORA-86. Impacts to CA-ORA-86 were found to be less than significant from the Brightwater project. The Sandover project, which was approved with a mitigated negative declaration, was previously investigated for CA-ORA-86.

Issue 3: Potential impacts to the groundwater and adjacent ESHA due to project drainage concept, specifically the use of pervious surfaces

The project drainage concept, including the use of pervious surfaces, is a project design feature that will function to direct runoff away from the adjacent ESHA as well as treat runoff prior to infiltration into the groundwater. This concept will result in a reduction of post-development runoff rate and volume to pre-development levels. As stated in the hydrology and water quality section of the draft MND, the site will have approximately 46 percent impervious surface after development. Impervious surfaces can result in increased runoff from a project. The use of pervious surfaces in the proposed project is a site design best management practice (BMP) to minimize the amount of impervious surface for the project. Pervious surfaces are provided by incorporating landscaping, a passive common open space area and porous pavement. The pervious surfaces will work in conjunction with the project's retention/infiltration drainage system.

The proposed storm drain system for the project incorporates a continuous deflection system (CDS) unit to treat stormwater flows as well as a manhole diversion structure designed to divert the "first flush" storm water runoff and dry weather nuisance flows to the proposed open space/common area where it will be infiltrated into the ground through a corrugated metal pipe retention system. Surface runoff will flow to catch basins connected to the CDS unit, which will function to remove debris, sediment, oil and grease from the street runoff prior to infiltration into the ground. In addition, porous pavers proposed in the driveways and on-street parking areas will intercept nuisance flows and "first flush" stormwater runoff and pre-treat the runoff prior to retention and infiltration. In addition to capturing runoff, the proposed drainage system would also facilitate water quality enhancement through removal of dissolved nutrients, bacteria and sediment through the soil's natural filtering ability as well as act as a groundwater recharge system. The draft MND states that "the project's proposed storm drain system would limit the amount of post-construction runoff to ensure that impacts would be less than significant." In addition, the draft MND concludes that "the proposed storm drain system would serve to protect the adjacent slope from runoff that could cause environmental harm to the slope and sensitive resources below the slope."

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) provides that an Initial Study prepared by the lead agency shall serve as the basis (i.e., provide the necessary factual documentation) for a negative declaration. CEQA Guidelines also list elimination of unnecessary EIRs as a stated purpose of an Initial Study. A negative declaration is a written statement that an Environmental Impact Report (EIR) is not required because a project will not have a significant effect on the environment. A mitigated negative declaration states that revisions in the project design agreed to by the applicant or imposed on the project would avoid potentially significant impacts, and that there is no substantial evidence that the project, as revised, will cause a significant effect on the environment. "Significant effect on the environment" means a substantial, or potentially substantial adverse change in the physical conditions of the environment.

Conversely, an agency may not adopt a negative declaration and must prepare an Environmental Impact Report (EIR), if it can be argued, based on substantial evidence, that the project may have a significant environmental impact. Pursuant to the provisions of CEQA, substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts and technical studies. Argument, speculation and unsubstantiated opinion are not substantial evidence. CEQA further provides that the existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence that the project may have a significant effect on the environment.

CEQA requires that public agencies adopt criteria and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations. In the case of the City of Huntington Beach, the adopted criteria are contained in the Huntington Beach General Plan, the Huntington Beach Zoning & Subdivision Ordinance (HBZSO), the Huntington Beach Noise Municipal Code, and other documents including the Huntington Beach Water Master Plan, the South Coast Air Quality Management District (SCAQMD) thresholds, the Institute of Traffic Engineers Trip Generation Handbook as well as various other reference sources.

CEQA Process

The Planning Commission may not, at this juncture (the appeal of the EAC's determination), alter the analyses or findings contained in the draft MND, nor require further studies in conjunction with continued processing of a mitigated negative declaration. HBZSO Section 240.04, which outlines the roles and responsibilities of both the EAC and the discretionary body in the Environmental Review process, is provided as Attachment No. 3.

Upon a determination by the Planning Commission to sustain the Environmental Assessment Committee's determination to continue processing draft MND No. 08-016, and following a 10-day appeal period of that determination, staff will (assuming no appeal is filed) resume processing the project with a 30-day public review period having already occurred. The next steps in the CEQA process would include a review of the 18 public comment letters received on the draft MND and preparation of a response to each comment raised in the comment letters. As appropriate, staff will prepare errata to the draft MND to clarify or correct areas of the draft MND. If during review of the public comments, additional analysis is required such that new information is identified or additional mitigation measures are recommended, recirculation of the draft MND would be necessary pursuant to CEQA requirements. A public hearing to

consider the project entitlements and the draft MND, including responses to comments and any errata to the draft MND, would be scheduled for a future Planning Commission meeting.

Alternatively, if the Planning Commission determines that an Environmental Impact Report shall be prepared, staff will issue a Request for Proposal (RFP), select a consultant, prepare a contract for services, and initiate the preparation of a draft EIR by the selected consultant. Upon completion of the draft EIR and review of the document by staff, a 45-day public comment period would commence, followed by a formal hearing on the project at which the EIR would be presented for final certification. The estimated time necessary to retain a consultant and prepare an EIR for the proposed project is 10 months.

Although there are no formal findings that must be made by the Planning Commission as part of their action on the appeal of the EAC's determination, CEQA requires that the basis of the Planning Commission's determination be made a part of the public record and therefore should be vocalized at the hearing. In the event that the Planning Commission concurs with the EAC's determination to continue processing draft MND No. 08-016, the Planning Commission may reference the attached draft MND as a basis for the determination.

Alternatively, if the Planning Commission determines that the project has the potential for significant environmental impacts, which cannot be mitigated, and therefore that an EIR is necessary, it would be appropriate to identify those adverse impact(s) that the Planning Commission deems potentially significant, as well as the basis (i.e., substantial evidence) for making such a determination.

Conclusion

The appeal letter identifies issues that have been considered in the draft MND, which concludes that impacts from these issues would be less than significant. Staff recommends that the Planning Commission uphold the Environmental Assessment Committee's determination and direct staff to continue processing draft Mitigated Negative Declaration No. 08-016, based on the evidence contained in the attached documents (Attachment No. 1) that the project, with mitigation, will not have significant environmental impacts.

ATTACHMENTS:

1. Draft Mitigated Negative Declaration/Environmental Assessment No. 08-016 (Includes Environmental Checklist with attachments and suggested mitigation measures)
2. Appeal letter, received and dated September 11, 2009
3. HBZSO Section 240.04 – *Environmental Review*
4. Comment letters received during the 30-day public review and comment period

**ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 2008-016**

- 1. PROJECT TITLE:** "The Ridge" 22-unit Planned Unit Development
- Concurrent Entitlements:** General Plan Amendment No. 08-011; Zoning Map Amendment No. 08-007; Local Coastal Program Amendment No. 09-002; Zoning Text Amendment No. 09-008; Tentative Tract Map No. 17294; Coastal Development Permit No. 08-022; Conditional Use Permit No. 08-046
- 2. LEAD AGENCY:** City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
- Contact:** Jennifer Villaseñor, Associate Planner
Phone: (714) 374-1661
- 3. PROJECT LOCATION:** 5-acre site at the southeast corner of Bolsa Chica Street and Los Patos Avenue (refer to Figure 1)
- 4. PROJECT PROPONENT:** Hearthside Homes
6 Executive Circle, Suite 250
Irvine, CA 92614
- Contact Person:** Ed Mountford
Phone: (949) 250-7760
- 5. GENERAL PLAN DESIGNATION:** OS-P (Open Space – Park)
- 6. ZONING:** RA-CZ (Residential Agriculture – Coastal Zone)
- 7. PROJECT DESCRIPTION** (Describe the whole action involved, including, but not limited to, later phases of the project, and secondary support, or off-site features necessary for implementation):

The proposed project involves a request to amend the land use and zoning designations on an existing approximately 5-acre parcel for the subdivision and development of a 22-unit single-family planned unit development (PUD) with a 5,776 square foot common open space area. The size of the 22 residential lots ranges from 5,114 square feet to 12,250 square feet. The proposed 4 and 5 bedroom dwellings range in size from 2,700 – 4,200 square feet and are two-stories with a two- or three-car garage. The site is proposed to take access from a single point of ingress/egress along Bolsa Chica

Street. The project is proposing construction of infrastructure improvements including street, curbs, sidewalks and storm drain facilities.

The project site is currently zoned Residential Agricultural – Coastal Zone (RA-CZ) with a General Plan land use designation of Open Space – Parks (OS-P). The project applicant is proposing to amend the existing zoning to Residential Low Density – Coastal Zone (RL-CZ) with a General Plan Land Use designation of Residential Low Density – 7 units/acre (RL-7). The project also consists of a zoning text amendment that would amend the Planned Unit Development (PUD) supplemental standards and provisions of Chapter 210.12 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to allow greater flexibility in the provision of parking spaces for a PUD development. The changes would not allow reductions in the number of parking spaces required for a project, but would allow the parking to be provided in an alternative configuration provided that the total number of parking spaces required is provided within the development site. For instance, the proposed project is providing the required number of parking spaces for the dwelling units, however, the spaces are proposed in a tandem configuration that is not currently allowed under Chapter 231 – Off-Street Parking and Loading of the HBZSO. In addition, required open spaces are provided in the driveways and on the street. The project also requires an amendment to the City’s certified Local Coastal Program to change the Land Use Plan from OS-P to RL-7 and reflect changes proposed to the HBZSO and zoning map.

Planned Unit Development

The project is being proposed and designed as a planned unit development (PUD), which allows flexibility in lot standards while providing a common, unifying public benefit. The project is proposing 22 single-family parcels that do not meet all the minimum standards for lot width and size in the RL (Residential – Low Density) zoning district. Nine of the proposed lots are less than 6,000 square feet in size, the smallest parcel being 5,114 square feet. In addition, 14 lots do not meet the minimum lot width of 60 feet (45 feet for cul-de-sac); instead, ranging in size from 17 feet for a proposed flag lot to 55 feet in width.

Public Benefit

The project proponent is proposing to provide two primary public benefits for the proposed PUD project. The first public benefit is the improvement of an existing 30-foot wide City-owned parcel immediately north of the project site. The parcel is currently undeveloped and would be improved with a 6-foot wide meandering trail and landscaping buffer that would connect to an existing informal path on the adjacent Shea property east of the project site to provide access to the Bolsa Chica wetlands from Bolsa Chica Street, thereby improving coastal access opportunities in the Bolsa Chica area.

The project is also proposing to be constructed as the City’s first “green” residential project. “Green” features proposed to be incorporated in the project include integration of solar panels into the roofing of the homes, utilization of permeable pavers for sections of the street and driveways, Energy Star-rated homes and drought-tolerant landscaping, and a storm drain system designed to capture low-volume flows and allow them to percolate into the ground functioning as a water treatment and groundwater recharge system.

Construction Scenario

Rough grading and infrastructure for the project would be accomplished in one phase. The project site is generally flat, however, portions of the site slope gradually from west to east at elevations ranging from approximately 50 feet above mean sea level (msl) to approximately 38 feet msl. Finished pads on the west side of the project site, adjacent to Bolsa Chica Street, will remain relatively the same as the existing elevation. The eastern portion of the site adjacent to the Shea property would be raised three to nine feet over existing elevations requiring approximately 4,200 cubic yards of cut and 10,700 cubic yards of fill. Approximately 6,500 cubic yards of fill would be needed. Construction of the homes would be completed in two to three phases depending on market conditions. Each phase of construction would take approximately 10 months.

Project Entitlements

The proposed project requires the following entitlement requests:

- General Plan Amendment: to amend the Land Use Designation from Open Space – Park (OS-P) to Residential Low Density (RL);
- Local Coastal Program Amendment: to amend the certified Land Use Plan from Open Space – Park (OS-P) to Residential Low Density (RL) and to reflect the Zoning Map and Text Amendments described below;
- Zoning Map Amendment: to amend the existing zoning designation of Residential Agriculture – Coastal Zone Overlay (RA-CZ) to Residential Low Density – Coastal Zone Overlay (RL-CZ);
- Zoning Text Amendment: to amend Chapter 210.12 – PUD Supplemental Standards and Provisions to allow flexibility in accommodating the total number of required parking spaces within a PUD development;
- Tentative Tract Map: to subdivide the approximately 5-acre lot into 22 single-family residential parcels and eight lettered lots;
- Coastal Development Permit: to construct 22 single-family residences and associated infrastructure in the coastal zone; and
- Conditional Use Permit: to permit construction on a site with greater than a three-foot grade differential.

8. SURROUNDING LAND USES AND SETTING:

The approximately 5-acre site is generally located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. Historically, the site has been used periodically over the years for agricultural purposes, but has not been used for agriculture in approximately 5 years. The site is currently undeveloped, except for an area in the southwest portion of the property that is being utilized as temporary construction headquarters for the adjacent Brightwater Development.

North of the project site is the previously discussed undeveloped 30-foot wide City-owned parcel, which is proposed to be improved with a public access trail by the project applicant to connect to the informal path on the Shea property to the east. North of the 30-foot wide parcel is a multi-family condominium complex. East of the project site is the undeveloped Shea property, which is approved by the City for the development of a single-family residential subdivision with a park and open space/conservation areas. The portion of the Shea property directly abutting the project site is designated as Open Space – Conservation. The 6.2-acre undeveloped Goodell property is located

immediately south of the project site. The Goodell property is currently located in the County of Orange and the City has initiated an application for the annexation of the property into the City. West of the project site is Bolsa Chica Street and the Brightwater and Sandover Developments. Both developments consist of single-family residential uses. The Brightwater development also consists of large open space/conservation areas. Surrounding zoning and general plan land uses designations are depicted in Figures 2 and 3. Figure 4 represents the project site in relation to the surrounding properties, developments and resources that are referenced within this document.

9. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:

None.

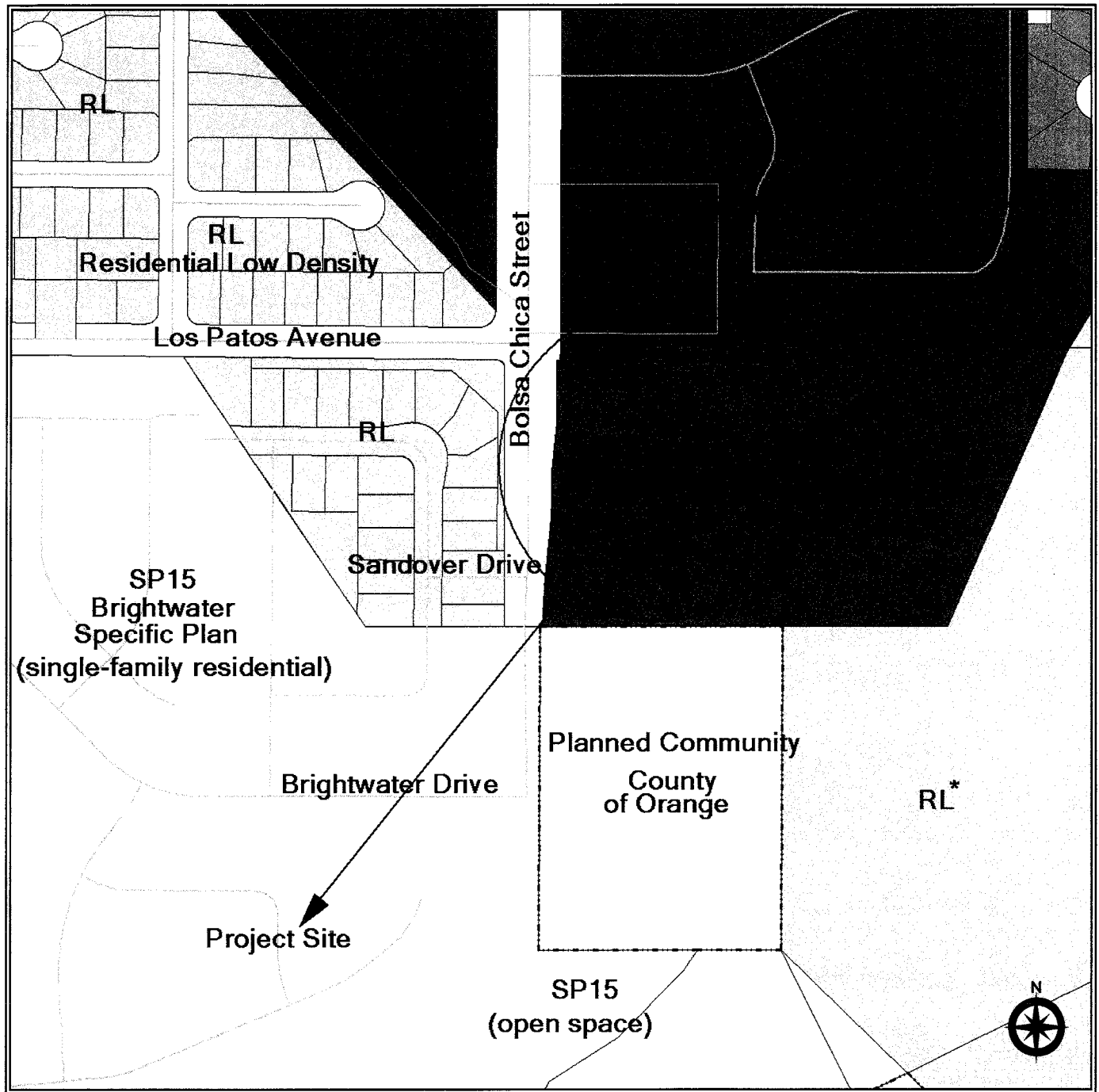
10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED) (i.e. permits, financing approval, or participating agreement):

- California Coastal Commission: The Local Coastal Program Amendment is required to be approved by the California Coastal Commission prior to any development of the site.

Figure 1 – Project Location



Figure 2 – Existing & Surrounding Zoning Designations



*The City recently approved a zoning map amendment to change the current zoning designations to CC – Coastal Conservation to be consistent with the Land Use Plan. The City's approval has been submitted to the California Coastal Commission for approval as LCPA No. 1-09.

Figure 3 – Existing & Surrounding Land Use Designations

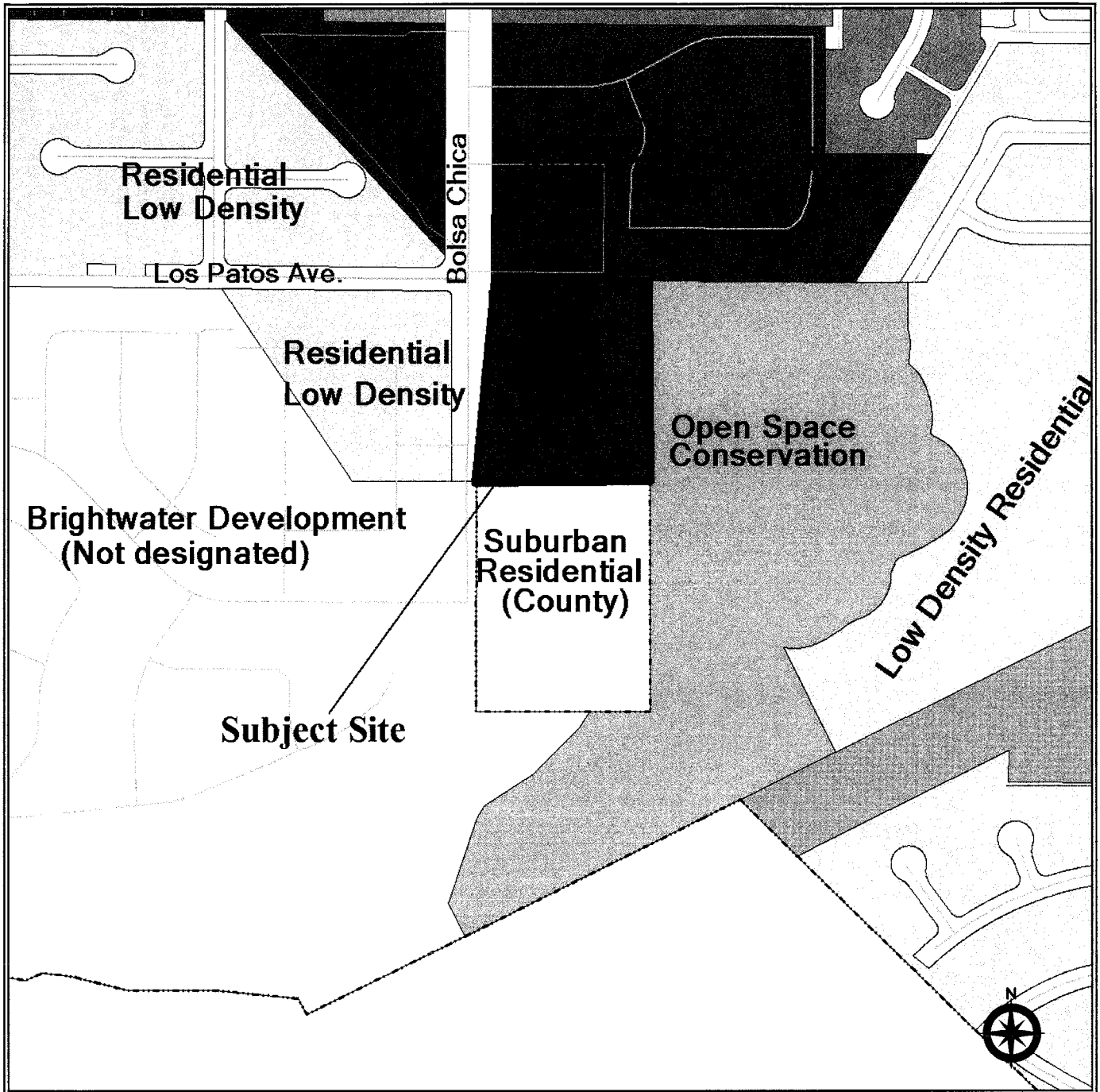
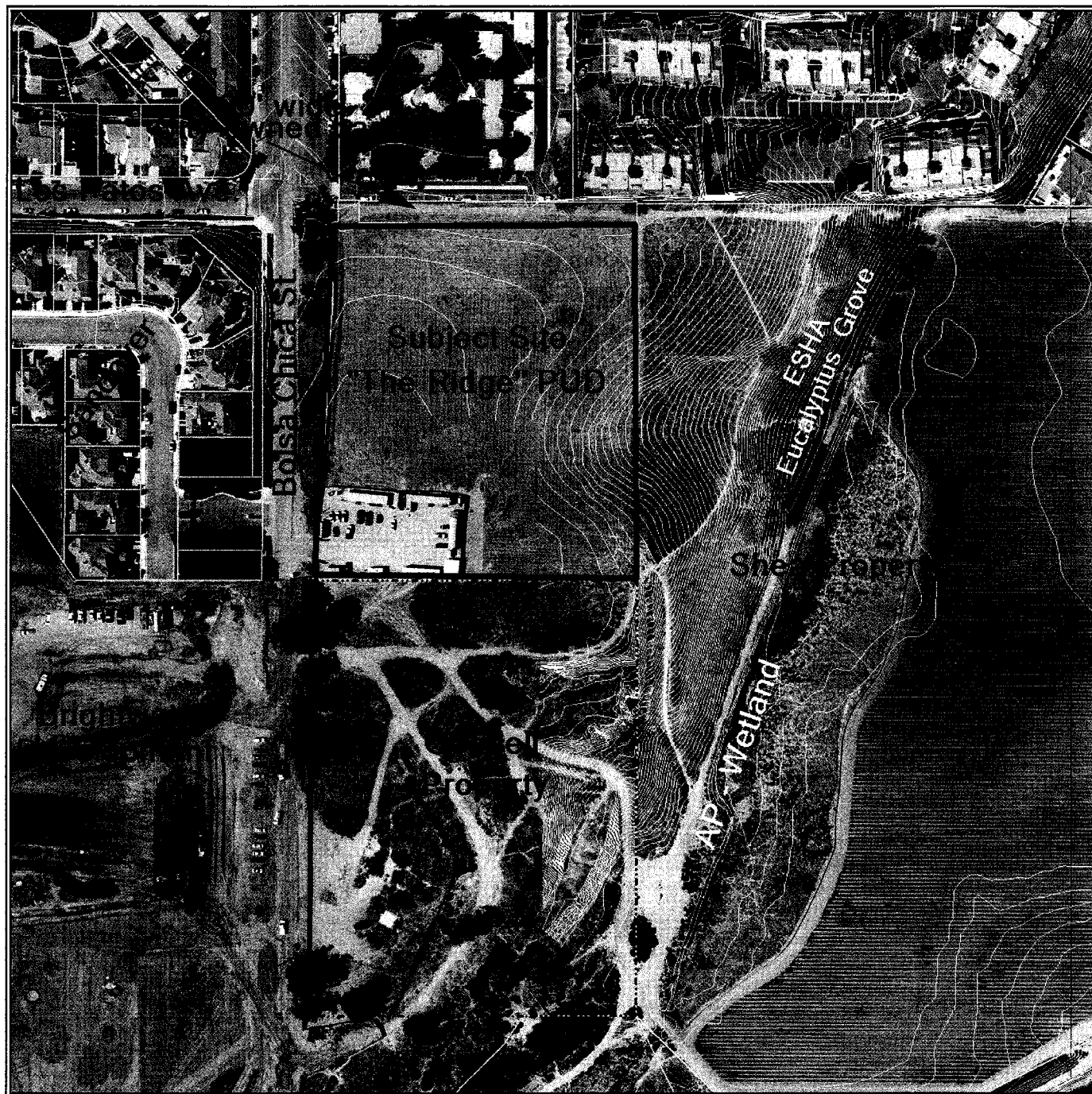


Figure 4 – Surrounding Developments and Resources (with contours)



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared. ☒

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**. ☐

Signature

Date

Printed Name

Title

ATTACHMENT NO. 1.9

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. "Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVIII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers' information, a list of applicable standard conditions identified in the discussions has been provided as Attachment No. 3.

SAMPLE QUESTION:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>ISSUES (and Supporting Information Sources):</i>				
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides? (Sources: 1, 6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: The attached source list explains that 1 is the Huntington Beach General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).</i>				

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

I. LAND USE AND PLANNING. Would the project:

- a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources:1,2,15,20) ☐ ☐ ☒ ☐

Discussion: The 5-acre project site is currently zoned RA-CZ (Residential Agriculture – Coastal Zone Overlay) and the General Plan Land Use designation is OS-P (Open Space – Parks). The site is undeveloped, although a portion of the property is currently used as a construction staging area for the adjacent Brightwater residential development. Applicable plans and policies regulating the subject site include the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and Municipal Code, the Huntington Beach General Plan and the City’s certified Local Coastal Program (LCP), which consists of the Coastal Element of the General Plan and an implementation program (IP). The Local Coastal Program carries out the policies and requirements of the California Coastal Act.

The project proposes to amend the RA-CZ zoning designation to RL-CZ (Residential Low Density – Coastal Zone Overlay). In addition, the project is proposing to amend the General Plan land use designation from OS-P to RL-7 (Residential Low Density – 7 dwelling units per acre).

Background

The subject property was originally zoned R-1 (Single-Family Residential) and the General Plan Land Use designation was Low Density Residential when it was incorporated into the City of Huntington Beach in the early 1970s. When the California Coastal Act was enacted in 1976, the City began steps to certify a Local Coastal Program with the California Coastal Commission in order to obtain coastal development permit jurisdiction. As part of this process, the City designated an 8-acre area on the eastern edge of the Bolsa Chica Mesa, which included the subject site as well as a portion of what is now the Shea property, for Open Space – Recreation on the 1982 Land Use Plan that was certified by the Coastal Commission. After the Land Use Plan was certified, the Coastal Commission required the City to zone the 8-acre area to a designation that would correspond to the Open Space – Recreation land use designation as part of its submittal of the Implementation Program of the LCP. In 1984, the City re-zoned the area from R1-CZ to RA-CZ, which was reflective of the agricultural uses on the property. In 1985, the Coastal Commission certified a County Land Use Plan for that portion of the Bolsa Chica Mesa adjacent to the 8-acre area within County jurisdiction with a land use designation of low density residential.

Zoning/Land Use Consistency

The proposed project, including the proposed zoning and general plan designations, would be consistent with surrounding land uses and existing surrounding zoning and land uses designations. Properties to the north, northwest and west are zoned and developed with single- and mutli-family residential uses. The Shea property to the east has zoning and land use designations for single-family residential uses as well as open space/conservation areas. The Brightwater Specific Plan area southwest of the project site has a similar land use pattern with single-family residential uses and open space/conservation areas. Property to the south is currently located in the County of Orange and has a zoning designation of Planned Community (PC) and a General Plan land use designation of Suburban Residential. The City is currently considering annexation of the property to the south. Proposed pre-zoning designations for that property include residential and open

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

space/conservation designations.

Although, the land use designation of the subject site is currently Open Space – Parks, the existing zoning designation allows development of single-family dwellings at a density of one unit per acre. Under the current zoning designation, five single-family dwellings could be developed on the site. The project is proposing to develop the site with the same uses that are currently allowed but at a greater density, which is consistent with the existing densities of surrounding developments.

The following Land Use goals, objectives and policies of the General Plan Coastal Element are applicable to the project:

Goal

C-1: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Objective

C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Policies

C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

C 1.1.3a: The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any private development.

C 1.1.5: New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

b) provide non-automobile circulation such as bike trails and pedestrian walkways within the development

d) provide for the recreational needs of new residents through local park acquisition or on-site recreational facilities to assure that recreational needs of new residents will not overload nearby coastal recreation areas

The project, while proposing a change in the Land Use Plan from Open Space – Parks (OS-P) to Residential – Low Density (RL), would not conflict with the land use goals and policies of the Coastal Element of the General Plan. The project is proposing to improve an existing undeveloped 30-foot wide parcel north of the project site with an access trail that would connect to an existing informal path on the adjacent Shea property that would ultimately provide access to the flood control channel and the Bolsa Chica wetlands from Bolsa Chica Street. In addition to the improved coastal access the project would provide, a 5,776 square foot passive open space area is proposed within the development to provide a recreational area for new residents to ensure that the new residents would not overload coastal recreation areas. The project is in close proximity to similar developments, is consistent with the existing land use pattern in the area, and can be accommodated by

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

existing infrastructure (refer to Section XII. Utilities & Service Systems). Although the proposed project would result in development on the Bolsa Chica Mesa, the existing slope adjacent to the project site would be preserved. In addition, the proposed drainage system would further protect the slope from potential impacts from runoff and erosion that could occur from development on the Mesa (refer to Sections III. Geology and Soils & IV. Hydrology and Water Quality). Other potential impacts, as analyzed within this document, have either been minimized through the project's design or can be mitigated so that all impacts would be less than significant.

HBZSO & Applicable Codes

In terms of compliance with the HBZSO (IP portion of LCP), the proposed project will comply with the requirements of the RL zoning district with exceptions that are proposed as part of the PUD design for the project. These exceptions include deviations to minimum lot width and size and are permissible with development of a PUD pursuant to the HBZSO. The proposed project is also required to comply with other requirements of the HBZSO including regulations pertaining to subdivisions and coastal development permits as well as applicable requirements of the Municipal Code.

Zoning Text Amendment

The project applicant is proposing a zoning text amendment that would change the PUD supplemental standards and provisions of Chapter 210.12 of the HBZSO to allow greater flexibility in the provision of parking spaces for a PUD development. The changes would not allow reductions in the number of parking spaces required for a project, but would allow the parking to be provided in an alternative configuration provided that the total number of parking spaces required is provided within the development site. For instance, the proposed project is providing the required number of parking spaces for the dwelling units, however, the spaces are proposed in a tandem configuration that is not currently allowed under Chapter 231 – Off-Street Parking and Loading of the HBZSO. Of the 22 units, 10 are proposing to provide a required three-car garage with a tandem configuration for two of the spaces. For these 10 units, three open spaces are required, in which one of the required open spaces is proposed to be met through the available street parking.

The proposed zoning text amendment is appropriate for inclusion in the PUD supplemental standards since PUDs by nature allow for flexibility in land use regulations so that a more distinct development can be provided with a greater emphasis on public benefits. Additionally, the proposed zoning text amendment will be consistent with the following General Plan goals, policies and objectives:

Goal

LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Objective

LU 9.3: Provide for the development of new residential subdivisions and projects that incorporate a diversity of uses and are configured to establish a distinct sense of neighborhood and identity.

Policy

LU 9.3.2: Require that the design of new residential subdivisions consider the following:

- b. Integrate public squares, mini-parks or other landscaped elements.
- h. Site and design of units and incorporate elements, such as porches, that emphasize front yards as an activity area and “outdoor living room,” by located garages in the rear or side yards.
- i. Consider reduced street widths to achieve a more “intimate” relationship between structures, to the extent feasible and in accordance with Huntington Beach Fire Department regulations.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- k. Include alleys or other means to minimize the dominance of garages along the street frontage.

The proposed zoning text amendment would be beneficial for future PUD developments in terms of consistency with the General Plan in that a project's site layout and design could achieve a more diverse development configuration, provide more open space and propose more distinct features with the flexibility that the proposed amendment would provide. The ability to provide a three-car garage in a tandem configuration would allow for a more compact or "intimate" development pattern, which would allow for more area for open space or other unique development features such as a trail, plaza or community center. The proposed amendment would also reduce a project's potential for garages to dominate the street frontage, which then could allow for front yards to have more of an emphasis as an activity area with landscaping and porch elements. In terms of the proposed project, the tandem garage design would allow for a more aesthetic design in which garages do not dominate the street scene. The proposed tandem garage design promotes the overall project site layout with narrow lot widths and smaller lot sizes that are configured around a large open space area. The proposed amendment also furthers the project's "green" design theme in that less impervious surface is required with the proposed garage and parking design.

Based on the discussion above, the project will not conflict with applicable land use plans and regulations in the City of Huntington Beach and impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources:1)
Discussion: See discussion below. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Physically divide an established community? (Sources:3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion b & c: The project site is currently vacant and proposed to be subdivided for the construction of 22 single-family residences. A new street would be constructed as part of the project to provide access to the new homes. The project will take access from Bolsa Chica Street, an existing major arterial in the City of Huntington Beach. Although a new street will be constructed, the project does not propose to cut off existing access to or from any existing or approved developments in the area such that it would physically divide an established community. In addition, the project is proposing to provide a link, via a 30-foot wide landscaped path, to connect Bolsa Chica Street at Los Patos Avenue to the Bolsa Chica wetlands. The project will not conflict with a habitat conservation plan or natural community conservation plan as there are not any adopted for the City of Huntington Beach.

II. POPULATION AND HOUSING. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources:1,18)
Discussion: See discussion under c. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources:1,18) Discussion: See discussion under c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources:1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a – c: The site is currently vacant; no existing homes or residents will be demolished or displaced. The project consists of a 22-unit single-family planned unit development and would not induce substantial population growth in the City of Huntington Beach. The 2008 Housing Element indicates that the average household size in Huntington Beach is 2.56 persons, which would result in potentially 57 new residents in the City. This represents 0.03% of the total population of Huntington Beach, which would not be considered substantial population growth. The proposed zoning text amendment will not have any impacts on population and housing.

The RA zoning district permits single-family dwellings at a ratio of one unit per acre whereas the RL designation allows seven units per acre. The subject project is proposing a density of 6.4 units per net acre (4.4 units/gross acre). Although, the proposed project represents an increase in allowable units and density than what is currently allowed, the proposed residential development on the project site would not result in substantial population growth in the context of allowed General Plan growth, nor in combination with anticipated and planned growth as identified in the City's 2008 Housing Element. In addition, the project will be required to comply with the City's affordable housing ordinance, which requires the provision of 10 percent of the total units to be affordable or payment of in-lieu fees. Less than significant impacts would occur.

III. GEOLOGY AND SOILS. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault ? (Sources:1,5,7,14)
Discussion: See discussion under iv. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? (Sources: 1,5,7,14)
Discussion: See discussion under iv. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? (Sources: 1,5,7,14)
Discussion: See discussion under iv. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

iv) Landslides? (Sources: 1,5,7,14)

☐ ☐ ☒ ☐

Discussion a.i. – iv.: The subject site is currently undeveloped except for a portion of the site that is used for construction headquarters for the adjacent and under construction Brightwater development. The site is not located within an Earthquake Fault Zone and no known or potentially active faults cross the site. The nearest known active fault is the Newport-Inglewood fault located approximately 2,000 feet southwest of the project site. The site is not located within a Seismic Hazard Zone for earthquake induced slope instability or liquefaction. However, the site is adjacent to a Seismic Hazard Zone for earthquake-induced liquefaction. In the event of a large earthquake at the nearby Newport-Inglewood fault, the site would experience significant ground shaking.

A geotechnical feasibility study (LGC, 2008) for the project states that the project site consists of loose to dense, brown to orange-brown sands, gravels and cobbles and soft to medium-stiff, brown and grey-brown silts and sandy clays. It is anticipated that these materials are overlain by varying thickness of topsoil and colluvial materials. Historic high groundwater levels in the vicinity of the subject site have been reported at 20 feet below the ground surface. Potential for liquefaction is anticipated to be low due to the lack of shallow groundwater conditions and the anticipated dense nature of the site soils. However, due to the proximity of the project site to a Seismic Hazard Zone for potential liquefaction, further subsurface testing on the project site will be conducted prior to preparation of construction and grading plans. The report indicates that it is anticipated that the site soils have very-low to medium expansion potential and negligible potential for concrete and metal corrosion. The proposed zoning text amendment will not have any impacts on geology and soils.

The proposed development would be required to comply with the California Building Code (CBC), which includes regulations for projects to be designed to withstand seismic forces. In addition, the project is required to prepare a site specific geotechnical investigation, including subsurface exploration and laboratory testing, to further evaluate the nature and engineering characteristics of the underlying soils. The report will provide recommendations for the design and construction of the project, including recommendations to address liquefaction potential. Adherence to the seismic design and construction parameters of the CBC, the City's Municipal Code and recommendations outlined in a site specific geotechnical investigation, would ensure protection of future residents of the project from impacts associated with seismic activity. Less than significant impacts would occur.

b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1,5,7,14)

☐ ☐ ☒ ☐

Discussion: See discussion under item e.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

☐ ☐ ☒ ☐

(Sources: 1,5,7,14)

Discussion: See discussion under item e.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 1,5,7,14) Discussion: See discussion under item e.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater (Sources: 1,5,7,14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion b - e: The project site is located on the Bolsa Chica Mesa. Although the project site is generally flat, portions of the site slope gradually from west to east at elevations ranging from approximately 50 feet above mean sea level (msl) to approximately 38 feet msl. Finished pads on the west side of the project site, adjacent to Bolsa Chica Street, would remain relatively the same as the existing elevation. The eastern portion of the site adjacent to the Shea property would be raised three to nine feet over existing elevations requiring approximately 4,200 cubic yards of cut and 10,700 cubic yards of fill. Approximately 6,500 cubic yards of fill would need to be imported. According to the Geotechnical Feasibility Study (LGC, 2008), over-excavation and recompaction of near surface soils is anticipated to occur during site preparation and grading. Based on other projects in the vicinity, it is anticipated that the depth of over-excavation would not exceed five to 10 feet. According to the geotechnical feasibility study, the on-site soils are considered generally suitable for use as compacted fill and support the planned improvements, including the proposed drainage system. However, a site-specific geotechnical subsurface investigation will further evaluate the underlying soils and provide design recommendations to be implemented with the project.

The project proposes to develop on a currently undeveloped site and would increase the potential for on-site and off-site erosion. Off-site erosion could occur if stormwater were conveyed over the adjacent slope. However, the project is proposing to direct dry weather and low volume storm flows into a planned catch basin that would allow the water to infiltrate back into the ground. Large volume storm flows are proposed to be directed into the existing storm drain in Bolsa Chica Street, which flows into a concrete vault that treats the water before discharging. In addition, the project is required to prepare an erosion control plan subject to review by the Public Works Department.

Earth-disturbing activities associated with construction would be temporary. The State Water Resources Control Board and the City's Municipal Code require erosion and sediment controls for construction projects with land disturbance. The requirements include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), with construction-period and erosion and sediment controls; preparation and implementation of an erosion and sediment control plan, describing both construction-period and permanent erosion and sediment controls; and construction site inspection by the City. The project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The project applicant must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and best management practices (BMPs). The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls.

The site has a low to moderate potential for expansive soils. The project is required to comply with

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Section 1802.2.2 Expansive Soils, of the City's Municipal Code and Title 17 Excavation and Grading Code, in addition to implementing the recommendations of the geotechnical investigation to address potential impacts from expansive soils. In addition, the existing sewer system, constructed in 2006 for the Brightwater Development, would accommodate the proposed project and as such, the project would not require an alternative wastewater disposal system.

Compliance with all applicable codes and requirements, in addition to implementation of site-specific recommendations of a required geotechnical investigation, would ensure less than significant impacts would occur.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? (Sources: 1,3,4,8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under p.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? (Sources: 1,3,4,8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under p.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (Sources: 1,3,4,8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under p.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site? (Sources: 1,3,4,8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under p.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
f) Otherwise substantially degrade water quality? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion under j.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion under j.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion under j.				
j) Inundation by seiche, tsunami, or mudflow? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion g – j: The proposed project site is designated as Flood Zone X in the Flood Insurance Rate Map (FIRM), which is not subject to Federal Flood Development restrictions. The project site is not situated within the 100-year flood hazard area as mapped in the FIRM. The elevation of the site above mean sea level (ranging from 38' – 50') and insulation provided by the inner Bolsa Bay suggest that the probability of experiencing adverse effects from tsunamis and seiches is low at the site. Furthermore, the General Plan Environmental Hazards Element does not identify the subject site within a tsunami run-up area. No impacts would occur.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
k) Potentially impact stormwater runoff from construction activities? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
l) Potentially impact stormwater runoff from post-construction activities? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
m) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under p.				
p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: 1,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion a – f & k – p: The approximately 5-acre project site is currently undeveloped. A portion of the site is currently used for construction staging headquarters for the adjacent Brightwater development. The project proposes construction of a 22 unit single-family planned unit development and associated site improvements, which include infrastructure and street improvements, a 5,776 square foot open space area and a dry weather and low stormwater flow retention/infiltration system. The project site is located on the Bolsa Chica Mesa. Water bodies in the vicinity of the project site include the Bolsa Chica wetlands and the East Garden Grove – Wintersburg Channel. The project does not propose to alter the course of an existing stream or river. After construction, the project site would consist of approximately 51% landscaped area, 3% porous pavement and 46% impervious surface. The project does have the potential to increase runoff rate and volume during construction and post-construction, which could impact water quality. The proposed zoning text amendment will not have any impacts on hydrology and water quality.

Water quality standards and waste discharge requirements will be addressed in the project design and development phase pursuant to a Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP), prepared by a Civil or Environmental Engineer in accordance with the National Pollution Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Department of Public Works.

Construction Runoff and Erosion

The State Water Resources Control Board and the City’s Municipal Code require erosion and sediment controls for construction projects with land disturbance. The requirements include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), with construction-period and erosion and sediment controls; preparation and implementation of an erosion and sediment control plan, describing both construction-period and permanent erosion and sediment controls; and construction site inspection by the City. The project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The project applicant must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and best management practices (BMP). The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Implementation of a SWPPP and applicable City and SWRCB requirements would ensure that runoff from construction of the project will not result in substantial erosion or flooding on- and off-site and impacts would be less than significant.

Post-construction Runoff and Erosion

The proposed storm drain system for the project incorporates a continuous deflection system (CDS) unit to treat stormwater flows as well as a manhole diversion structure designed to divert the “first flush” storm water runoff and dry weather nuisance flows to the proposed open space area where it will be infiltrated into the ground through a corrugated metal pipe retention system. Surface runoff will flow to catch basins connected to the CDS unit, which will function to remove debris, sediment, oil and grease from the street runoff prior to infiltration into the ground. In addition, porous pavers proposed in the driveways and on-street parking areas will intercept nuisance flows and “first flush” stormwater runoff and pre-treat the runoff prior to retention and infiltration. In addition to capturing runoff, the proposed drainage system would also facilitate water quality enhancement through removal of dissolved nutrients, bacteria and sediment through the soil’s natural filtering ability as well as act as a groundwater recharge system. Larger storm flows are proposed to bypass the retention system and flow into an existing privately owned 24-inch reinforced concrete pipe in Bolsa Chica Street, which would be treated and ultimately discharged into the Bolsa Chica Wetlands.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

In addition, the project is required to submit a Water Quality Management Plan (WQMP) for post-construction compliance with water quality standards and water discharge requirements subject to review and approval by the Department of Public Works. A preliminary WQMP identifies Routine Source Control and Structural BMPs as well as Site Design BMPs to be incorporated into the project.

Although the project does have the potential to contribute additional runoff, which may create other impacts such as flooding, erosion and increased demand on the existing storm drain system, the project's proposed storm drain system would limit the amount of post-construction runoff to ensure that impacts would be less than significant. The proposed storm drain system would function to recharge groundwater thereby limiting the amount of low volume storm flows and dry weather flows that enter the storm drain system. In addition, runoff water from larger volume storm flows would be pre-treated prior to entering the storm drain system, which would limit the amount of polluted runoff that is ultimately discharged into the Bolsa Chica Wetlands during larger storm events. As such, the project, as designed and with implementation of a WQMP, would not result in substantial increases in the rate and volume of post construction runoff, which would impact the beneficial use of downstream waters. Finally, the proposed storm drain system would serve to protect the adjacent slope from runoff that could cause environmental harm to the slope and sensitive resources below the slope. Less than significant impacts would occur.

Due to the relatively small size of the proposed residential project, the potential to substantially deplete groundwater supplies is minimal. Also, as discussed above, the project's retention/infiltration system would function to recharge the groundwater supply. Therefore, impacts to groundwater would be less than significant.

The project's design as well as required SWPPP, WQMP and hydrology and hydraulic studies, to be submitted in accordance with City of Huntington Beach standard development requirements, will identify project design features and BMPs for ensuring no significant impacts associated with polluted runoff and erosion would occur. In addition, the project design and drainage system would function to treat water, which would then recharge the groundwater supply (for dry weather and "first flush" flows) or discharge into downstream waters (larger volume storm flows). As such, impacts to water quality would be less than significant.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. **AIR QUALITY.** The city has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources:1,9,16)
Discussion: See discussion under e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1,9,16)
Discussion: See discussion under e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Create objectionable odors affecting a substantial number of people? (Sources: 1,9,16)
Discussion: See discussion under e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1,9,16)
Discussion: See discussion under e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources: 1,9,16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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Discussion a – e: The proposed project consists of the subdivision of an approximately 5-acre parcel for the development of 22-single-family homes and associated site improvements. The City of Huntington Beach is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District (SCAQMD). The entire Basin is designated as a national-level nonattainment area for Ozone, Carbon Monoxide (CO), respirable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). The Basin is also a State-level nonattainment area for Ozone, PM₁₀ and PM_{2.5}. Sensitive receptors in the area include residents in nearby developments to the north and west. The proposed zoning text amendment will not have any impacts on air quality.

Impacts from objectionable odors could potentially occur during construction of the project. However, impacts would be intermittent and short-term and would not persist once construction was completed. Residential uses in general are not sources of objectionable odors. Potential odors would be limited to typical household wastes, which are stored in refuse containers and picked up on a weekly basis. As such, impacts from odors would be less than significant.

The 2007 Air Quality Management Plan (AQMP) is the region's applicable air quality plan and was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under jurisdiction of the SCAQMD, to return clean air to the region, and minimize the impact on the economy. Projects that are considered to be consistent with the General Plan are considered to be consistent with the AQMP. Although the proposed project is proposing a general plan amendment to change the land use designation, the growth in population size and number of housing units as a result of the project is consistent with the growth accounted for in the General Plan (refer to discussion under Section II. Population and Housing). Therefore, the proposed project would not conflict with the AQMP and impacts would be less than significant.

Short-term: The construction of the project may result in short-term air pollutant emissions from the following activities: the commute of workers to and from the project site; minimal grading activities, delivery and hauling of construction materials and supplies to and from the project site; fuel combustion by on-site construction equipment; and dust generating activities from soil disturbance. Emissions during construction were calculated using URBEMIS2007 program (version 9.2.4). The allotment of equipment to be utilized during each phase was based on defaults in the URBEMIS2007 program and was modified as needed to represent the specifics of the proposed project.

The URBEMIS model calculates total emissions, on-site and offsite, resulting from each construction activity which are compared to the SCAQMD Regional Thresholds. A comparison of the project's total emission with the regional thresholds is provided below. A project with daily construction emission rates below these thresholds is considered to have a less than significant effect on regional air quality.

SCAQMD Regional Pollutant Emission Thresholds of Significance						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM ₁₀	PM _{2.5}	SO ₂
Estimated Construction Emissions for proposed project	14.90	21.72	25.05	26.26	6.37	0.01
Significance Threshold	550	75	100	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

ISSUES (and Supporting Information Sources):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

Based on the aforementioned table construction of the project would not exceed the regional emissions thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

Long-term: Post-construction emissions were also calculated using the URBEMIS2007 program version (9.4.2). The program was set to calculate emissions for the proposed 22-unit single-family development. The default URBEMIS2007 variables were used for the calculations.

SCAQMD Regional Pollutant Emission Thresholds of Significance						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NO _x	PM ₁₀	PM _{2.5}	SO ₂
Estimated project Emissions for proposed project	19.94	2.93	2.21	3.45	0.67	0.02
Significance Threshold	550	75	55	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the aforementioned table post-construction emissions from the proposed project would not exceed the regional thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

In addition, the project does not come close to exceeding established thresholds for any pollutant including the identified nonattainment pollutants (Ozone, CO, PM₁₀ and PM_{2.5}) and ozone precursors (NO_x and VOC) both for construction and post-construction and therefore, would not contribute a cumulatively considerable increase in these pollutants.

Greenhouse Gases

AB 32 codifies the state's goal to reduce its global warming by requiring that the state's greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on greenhouse gas emissions that will be phased in starting in 2012. In order to effectively implement the cap, AB 32 directs the California Air Resources Board (CARB) to develop appropriate regulations and establish a mandatory reporting system to track and monitor greenhouse gas emissions levels. In addition, the State Office of Planning and Research (OPR) has until January 1, 2010 to adopt CEQA guidelines for evaluation of greenhouses gases. A draft of the proposed amendments to the CEQA guidelines was released in April 2009 and states that a local agency must develop its own significance criteria based on local conditions, data and guidance from other sources.

The proposed project would result in a total of approximately 350.75 tons of CO₂ emissions during construction. Post-construction CO₂ emissions would be approximately 447.57 tons/year. Therefore, the project would produce GHG emissions. Other GHG emissions could result from increases in electricity and natural gas usage and solid waste production, all of which would occur with the proposed project. Although, the amount of post-construction GHG emissions from the project (447.57 tons/yr) represents a negligible percentage of the overall state of California GHG emissions (484,400,000 tons/yr - 2004), since there are no thresholds of significance established yet, any contribution of GHG emissions can be considered significant.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

The proposed project would be the City's first "green" residential project and as such, incorporates design features that promote energy efficiency and a reduction in GHG emissions, both directly and indirectly. For instance, the project is proposing to utilize Energy Star-rated products in all of the units, a storm drain system designed to capture low-volume flows and allow them to percolate into the ground thereby reducing the amount of water that enters the storm drain system, drought tolerant landscaping, solar roof panels and pervious surfaces for driveways and portions of the street. In addition, the project is required to comply with all applicable City codes and requirements pertaining to energy efficiency and water use efficiency as well as applicable requirements for construction equipment that would limit truck and equipment idling times, exhaust and dust. The identified project design features and applicable requirements are consistent with the GHG reduction strategies recommended by the California Climate Action Team (CCAT), the California Air Pollution Control Officers Association (CAPCOA) and the California Attorney General's office. Therefore, due to the project's small contribution to GHG emissions in addition to project design features that would reduce GHG emissions, impacts would be less than significant.

VI. TRANSPORTATION/TRAFFIC. Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections? (Sources:1,11,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under g.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Sources: 1,11,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under g.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: 1,11,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under g.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: 1,11,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under g.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Result in inadequate emergency access? (Sources: 1,11,18) ☐ ☐ ☒ ☐

Discussion: See discussion under g.

- f) Result in inadequate parking capacity? (Sources: 1,11,18) ☐ ☐ ☒ ☐

Discussion: See discussion under g.

- g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1,11,18) ☐ ☐ ☐ ☒

Discussion a –g: The proposed project is a 22-unit single-family subdivision with associated site improvements. The proposed street configuration is a typical single-family residential street with on-street parking and one travel lane in each direction. The surface for the on-street parking is proposed to have permeable pavers and the street surface would consist of concrete pavers. Existing intersections near the project site include Bolsa Chica Street and Warner Avenue, Warner Avenue and Algonquin Street and Pacific Coast Highway and Warner Avenue. According to the Department of Public Works – Transportation Division, the intersection of Warner Avenue and Pacific Coast Highway is currently experiencing capacity issues. A draft General Plan Circulation Element Update indicates that future intersection capacity improvements will be needed at this intersection. The intersections at Bolsa Chica Street and Warner Avenue and Warner Avenue and Algonquin Street are both operating at acceptable levels based on City standard criteria.

The proposed development will generate an average 264 new daily vehicle trips, of which 17 will occur in the AM peak hour and 22 in the PM peak hour. The intersections of Bolsa Chica Street and Warner Avenue and Algonquin Street and Warner Avenue were evaluated for traffic impacts. The results of the evaluation are summarized in the following tables:

Existing Intersection Capacity Utilization (ICU) and Level of Service (LOS)

Intersection	AM Peak Hour– ICU	LOS	PM Peak Hour– ICU	LOS
Warner/Bolsa Chica	0.73	C	0.71	C
Warner/Algonquin	0.48	A	0.56	A

Project Intersection Capacity Utilization (ICU) and LOS

Intersection	AM Peak Hour– ICU	LOS	PM Peak Hour– ICU	LOS
Warner/Bolsa Chica	0.73	C	0.71	C
Warner/Algonquin	0.48	A	0.56	A

No changes in existing intersection capacity utilization (ICU) or level of service (LOS) would occur at either of

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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the intersections with the proposed project. The intersection of Warner Avenue and Pacific Coast Highway is a Caltrans intersection and was not evaluated using City of Huntington Beach criteria. However, given that the two closest signalized intersections would not result in changes to existing intersection operations, similarly, it is expected that no changes in LOS or ICU from the project would occur at the intersection of Warner Avenue and Pacific Coast Highway. Less than significant impacts would occur.

Construction related traffic may have an impact on existing parking, vehicle circulation, and pedestrians by construction vehicles along side, entering, or exiting the project site. Specifically, grading of the site would require approximately 464 truck trips to import the required amount of fill soil for the project. These trips would occur during the grading phase which would be approximately 20 days. As a result, vehicle delays may result along Bolsa Chica Street adjacent to the project site. However, impacts would be temporary and would not impact a large number of surrounding residential uses since the project site is located at the terminus of Los Patos Avenue and near the terminus of Bolsa Chica Street. These potential impacts would be reduced through implementation of code requirements requiring Department of Public Works approval of a construction traffic control plan.

The project is proposing to provide a two- or three-car garage for each dwelling unit in accordance with the provisions of Chapter 231 – Off-Street Parking and Loading of the HBZSO. Of the 22 units, 10 are proposing to provide a required three-car garage with a tandem configuration for two of the spaces. For these 10 units, three open spaces are required, in which one of the required open spaces is proposed to be met through the available street parking. The total number of parking spaces required for the project is provided within the development site in addition to 13 additional on-street parking spaces. As such, the proposed project will not result in significant impacts due to inadequate parking capacity.

The proposed text amendment to the HBZSO would not result in inadequate parking capacity for future PUD developments since the changes do not allow reductions in the overall number of required parking spaces that would be required for a project. In addition, any alternative parking configuration proposed in a future PUD project would be analyzed as part of the development review process for that particular subdivision and any other required entitlements. Less than significant impacts would occur.

The proposed site access and street configuration does not propose privacy gates, sharp curves or dangerous intersections and is designed to comply with City standards. In addition, the project has been reviewed by the Huntington Beach Fire Department for adequate access and is required to comply with City Specification 401, *Minimum Standards for Fire Apparatus Access*. As such, the project would not result in inadequate emergency access. The project does not require bicycle racks since it is a single-family development and would not conflict with policies supporting alternative transportation. Less than significant impacts would occur.

VII. BIOLOGICAL RESOURCES. Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources:1,18)

☐ ☐ ☒ ☐

Discussion: See discussion under item f.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under item f.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under item f.				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources: 1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under item f.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion under item f.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a – f: The approximately five acre project site is currently undeveloped except for a portion of the property that is used for construction headquarters for the adjacent Brightwater development, which is under construction. Historically, the site has been used periodically for agricultural purposes but has never been developed. There are no trees or sensitive vegetation existing on the site that would provide habitat for sensitive species or serve in part as a migratory corridor for wildlife or avian species. Sensitive biological resources occur and have the potential to occur on adjacent properties to the east and south. However, the proposed project would not impact any sensitive biological resource on adjacent properties. A designated

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant	No Impact
		Unless Mitigation Incorporated	Impact	

wetlands area is located approximately 200 feet east of the subject property at the closest point. The subject property is entirely outside of the required buffer area for the adjacent wetlands designation. To the east of the proposed project on the Shea property is a stand of eucalyptus trees that have been determined by the California Coastal Commission to be an environmentally sensitive habitat area (ESHA) because of their value to raptors for nesting and perching. As part of the approval of a Land Use Plan for the Shea property in 2008, the Coastal Commission required that 23 acres surrounding the ESHA be designated as buffer/open space to maintain foraging habitat for raptors and to protect against any significant disruption of habitat values. The 23 acres includes the land between the proposed project and the eucalyptus trees, as shown on the proposed tentative tract map for the project (Refer to Attachment 2). The property boundary for the proposed project is approximately 140 feet from the closest point of the ESHA. The closest residential lot is 160 feet from the ESHA and the farthest is approximately 250 feet. In addition, there is a significant topographic separation between the proposed project and the eucalyptus trees. The pad elevations at the eastern edge of the proposed project are at elevation 49 and the eucalyptus trees are at elevation five. The height of the ESHA is approximately 40 feet on average so the tops of the trees are approximately at the proposed pad elevation. Given the 23 acres that have been designated as open space for raptor foraging habitat on the Shea property and the distance of the proposed residential lots from the ESHA coupled with the topographical separation, the impacts to the ESHA are less than significant. The proposed project does not conflict with any adopted Habitat Conservation Plan or Natural Community Conservation Plan as no such plan exists for the City of Huntington Beach. Less than significant impacts would occur. The proposed zoning text amendment will not have any impacts on biological resources.

VIII. MINERAL RESOURCES. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources:1)
Discussion: See discussion under item b. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion a & b: Although Huntington Beach has been the site of oil and gas extraction since the 1920s, oil production has decreased over the years, and today, oil producing wells are scattered throughout the City. The subject site has historically been used for agricultural purposes and as such, would not result in the loss of a known mineral resource or recovery site. No impacts would occur. The proposed zoning text amendment will not have any impacts on mineral resources.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources:1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See discussion under b.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion a & b: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The site was historically used for agricultural purposes and, as such, may contain traces of pesticides in the soil. The site is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. The proposed residential units do not represent uses that involve the routine use or transport of hazardous materials beyond typical household wastes and cleaning products.

To the extent possible, on-site soils will be used for grading, however, all fill soil (on-site and imported) shall meet City Specification #431-92 – Soil Cleanup Standards and would be submitted to the Fire Department for review and joint approval with the Public Works Department prior to issuance of a grading permit. Discovery of additional soil contamination during ground disturbing activities is required to be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92. Less than significant impacts would occur. The proposed zoning text amendment will not have any impacts on hazards and hazardous materials.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The nearest school, Marine View Middle School, is located approximately ½ mile from the project site. The proposed residential units do not represent uses that involve the routine use or transport of hazardous materials beyond typical household wastes and cleaning products. Less than significant impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources:1,3,13,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The project site is not listed on any list of hazardous sites. As such, no impacts would occur.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ATTACHMENT NO. 1.31

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1,3,18)
Discussion: See discussion under f.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion e & f: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The City is located within the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos, but is not located within two miles of a public or private airport. However, given the nature and size of the proposed project, no impacts would occur.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources:1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. The project site does not serve any role in the implementation of an emergency response plan nor would the proposed project impair an emergency evacuation plan. No impacts would occur.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources: 1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. The site is also disced twice a year for fire protection. The project site and surrounding properties are not considered wildlands and are not located within a Very High Fire Hazard Severity Zone as mapped by the State Department of Forestry and Fire Protection. Less than significant impacts would occur.

X. NOISE. Would the project result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources:1,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ATTACHMENT NO. 1.32

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See discussion under item d.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under item d.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under item d.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion a – d: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The project site is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. The project site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. Surrounding land uses include multi-family residential to the north and northwest and single-family residential to the west. Properties to the south and east are undeveloped, although single-family residential and open space/conservation uses are approved for property east of the project site. Existing sources of noise and groundborne vibration in the area include motor vehicle traffic on the surrounding roads as well as construction noise from the adjacent Brightwater development. Applicable City regulations include the General Plan Noise Element, which identifies goals, policies and objectives to ensure that new development does not create an unacceptable noise environment through siting, design and land use compatibility, and the City's Noise Ordinance, which regulates noise produced by uses, equipment, construction and people. The proposed zoning text amendment will not have any impacts on noise.

The project will generate short-term noise impacts during construction, including noise generated by earth-moving equipment, haul trucks and power tools. However, the project will be subject to compliance with Chapter 8.40 – Noise, of the Huntington Beach Municipal Code which restricts all construction activities to the hours between 7:00 AM and 8:00 PM Monday - Saturday. Construction activities are prohibited Sundays and Federal holidays. In addition, the project applicant is proposing to utilize noise mufflers on all heavy construction equipment. Accordingly, construction related noise impacts would be less than significant. Noise generated by the proposed residential uses would not be significantly different than existing conditions in the area and would likely generate less noise than the multi-family residential uses to the north and northwest. As such, the proposed project will not result in exposure of persons to excessive temporary or permanent noise levels or groundborne vibration exceeding existing levels or as established by the General Plan Noise Element and the City's Noise Ordinance. Less than significant impacts would occur.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1,15)

Discussion: See discussion under item f.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion e & f: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The project site is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. The site is located within the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos, but is not located within two miles of a public or private airport. Less than significant impacts would occur.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection? (Sources:1)
Discussion: See discussion under item e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police Protection? (Sources:1)
Discussion: See discussion under item e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? (Sources:1)
Discussion: See discussion under item e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks? (Sources:1,2)
Discussion: See discussion under item e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities or governmental services? (Sources:1,2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion a – e: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements. The proposed residential development is proposing to provide a 5,776 square foot open space area. The project site is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. The nearest police station is the Harbour Substation, located approximately half a mile from the project site at 16889 Algonquin Street. The nearest Fire Station is Station No. 7 located at 3831 Warner Avenue at the intersection of Warner Avenue and Pacific Coast Highway. The

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

project site is located within the Ocean View School District (grades K-8) and the Huntington Beach Union High School District. Five City parks, Bolsa Chica State Beach and the Bolsa Chica Ecological Reserve are all located within one mile of the project site. The proposed zoning text amendment will not have any impacts on public resources.

The Fire and Police departments have reviewed the proposed development and have not indicated that the project would impact acceptable service levels. The Community Services Department has reviewed the request to amend the General Plan land use designation from Open Space – Parks to Low Density Residential and has determined that impacts to parks would be less than significant due to the proximity of other parks within the area of the project site as well as the relatively small number of units proposed. In addition, although the project is proposing to amend the general plan and zoning land use designations, the increase in population and housing is within the allowable growth considered in the General Plan. Although the proposed project would not create a substantial increase in demand for public services, the project would be required to pay park (in accordance with Ch. 254 of the HBZSO), school and library fees to offset any additional increase in demand for services. Less than significant impacts would occur.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources:1,3) ☐ ☐ ☒ ☐

Discussion: See discussion under item b.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources:1,3) ☐ ☐ ☒ ☐

Discussion a & b: The proposed project involves the subdivision of a 5-acre parcel for the construction of a 22-unit single-family planned unit development and associated improvements including a 5,776 square foot open space area. The proposed zoning text amendment will not have any impacts on utilities and service systems. The project will take access from Bolsa Chica Street, which was extended in 2006 for the Brightwater development. When the extension of Bolsa Chica Street was constructed in 2006, sewer, domestic water and storm drain improvements were constructed in the street for the Brightwater development. Those existing sewer, water and storm drain lines are readily available in Bolsa Chica Street and have adequate capacity to serve the proposed project. The Orange County Sanitation District (OCSD) provides regional wastewater collection, treatment and disposal services for the City of Huntington Beach. Based on current OCSD flow factors, the proposed project would generate approximately 1,488 gallons of wastewater per day per acre.

All connections to existing wastewater infrastructure will be designed and constructed in accordance with the requirements and standards of the City of Huntington Beach and the OCSD. Compliance with applicable Waste Discharge Requirements, as monitored and enforced by the OCSD, would ensure that the proposed project would not exceed applicable wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board (SARWQCB) with respect to discharges to the sewer system. Less than significant

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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impacts would occur.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources:1,3,4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As discussed in Section IV. Hydrology and Water Quality, the project is proposing a storm drain system that would divert the “first flush” storm water runoff and dry weather nuisance flows to the proposed open space area where it will be infiltrated into the ground through a corrugated metal pipe retention system. Surface runoff will flow to catch basins connected to the CDS unit, which will function to remove debris, sediment, oil and grease from the street runoff prior to infiltration into the ground. In addition, porous pavers proposed in the driveways and on-street parking areas will intercept nuisance flows and “first flush” stormwater runoff and pre-treat the runoff prior to retention and infiltration. In addition to capturing runoff, the proposed drainage system would also facilitate water quality enhancement through removal of dissolved nutrients, bacteria and sediment through the soil’s natural filtering ability as well as act as a groundwater recharge system. This system would be constructed with the project and would not create additional construction impacts beyond those already being considered with the project. Less than significant impacts would occur.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources:1,3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The Public Works Department has reviewed the project plans and did not identify any concerns regarding impacts to water supplies due to the relatively small number of units. The project would not result in an increase in water consumption such that it would present a significant impact to water supplies. In addition, the project is subject to compliance with the City's Water Ordinance, including the Water Efficient Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which ensure water consumption is minimized. In addition, the project is proposing the homes to be Energy-star rated, which maximizes appliance efficiency. The water demand for the proposed project can be accommodated by the City’s water service capacity and less than significant impacts would occur.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments? (Sources:1,3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under item a.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? (Sources:1,3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See discussion under item g.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources:1,3,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion f & g: The proposed project involves the subdivision of a 5-acre parcel for the construction of a 22-unit single-family planned unit development and associated improvements including a 5,776 square foot open space area. Solid waste collection service for the City of Huntington Beach is provided by Rainbow Disposal, under an exclusive contract with the City. Collected solid waste is transported to a transfer station where the solid waste is sorted and processed through a Materials Recovery Facility where recyclable materials are removed. The remaining solid waste is transferred to the Orange County landfill system, which has capacity to operate until 2067. Even so, given the size and use of the project, it is not expected to generate a substantial amount of daily waste products in the long term nor as a result of construction. Accordingly, the project is not anticipated to noticeably impact the capacity of existing landfills that will serve the use. The project is subject to compliance with all federal, state, and local statutes and regulations related to solid waste and no exceptions to those standards are proposed. Less than significant impacts would occur.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources:1,3,4,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Refer to item XII. c. above. In addition, a preliminary Water Quality Management Plan (WQMP) for the project identifies Best Management Practices (BMPs) to reduce impacts to water quality. However, the proposed storm drain system and identified BMPs would not create additional environmental impacts as discussed in this section and in Section IV. Hydrology and Water Quality. Less than significant impacts would occur.

XIII. AESTHETICS. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? (Sources:1,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under item d.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources:1,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under item d.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources:1,3,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under item d.

ISSUES (and Supporting Information Sources):	Potentially Significant			
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources:1,3,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion a – d: The project consists of a 22-unit single-family planned unit development and associated improvements on an existing 5-acre lot. The project proposes an architectural design character of an “American Seaside Village” with six coastal architectural styles including: Light Craftsman, Light Victorian, American Traditional, The Hamptons, Laguna Beach Cottage and Florida Seaside. These styles present a quality architectural design utilizing various exterior colors and materials finishes. The project site is located on the Bolsa Chica Mesa and is currently undeveloped, although a portion of the site is currently being used as a construction staging site for the adjacent Brightwater development. The project site is not located along a state scenic highway. There are no historic resources, rock outcroppings or trees on the project site. The Bolsa Chica Mesa and slope is identified as a visual resource in the Coastal Element and existing policies in the Coastal Element call for the preservation of public views to and from the slope.

Construction of the project would permanently alter the existing visual environment of the project site. The undeveloped character of the site would be developed under the proposed project. Views of the project site from the flood control channel east of the project site and Pacific Coast Highway (PCH) further in the distance would be altered. However, views of the project site from the channel and PCH, which are at a lower elevation, can be considered in the context of the overall view of the Bolsa Chica Mesa and slope. Currently, views looking toward the project site consist of the slope, open space and residential uses. Development of the project site would maintain existing views of the slope, in accordance with Coastal Element policies, and would bring residential uses into a closer context, but the overall view from the channel and PCH would essentially remain the same. Therefore, the proposed project would not substantially affect scenic views of the project site from off-site vantage points.

In addition, improvement of an existing undeveloped 30-foot wide City-owned parcel north of the project site would provide public access to an informal path on the adjacent Shea property from Bolsa Chica Street and would also provide public views from the slope edge at the eastern point of the site.

Since the project site is currently undeveloped, the project would introduce a new source of light and glare in the area due to lighting from the residences, car lights and nighttime street lights. However, the project is proposing single-family residential uses in an area that is developed with single- and multi-family uses and light sources from the project would be similar to existing light sources in the area. The proposed lighting plan for the project indicates that all lighting will be shielded to minimize light cast onto adjacent properties. In addition, the project site lighting will include “dark sky” features that were implemented in the adjacent Brightwater residential project and have already been determined to be appropriate for and sensitive to the Bolsa Chica area.

The project is proposing two story homes at approximately 25 to 30 feet in height. Existing residential uses north and west of the project site are two and three stories in height and private views from these residential uses would be impacted by the project. However, neither the General Plan Coastal Element nor the Coastal Act protect private views. Nevertheless, the project site is separated from adjacent multi-family residential properties to the north with a 30-foot wide parcel. The 30-foot wide area would be improved with a 6-foot wide path and a landscape buffer. Distances from the proposed residences to the multi-family residential units to the north would range from 40 – 90 feet. These distances combined with landscaping proposed for the 30-foot wide area would function to buffer aesthetic impacts to existing residential units from development on the

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

project site. In addition, the project is required to comply with the City's design guidelines and is subject to review by the Design Review Board to ensure that the project's design, architecture and landscaping for the project is compatible with and would enhance the area.

In conjunction with other past, present and future projects, the proposed project would incrementally contribute to aesthetic changes in the area and the change from an undeveloped to a developed condition may be viewed by some people as a negative impact. However, aesthetic impacts are somewhat subjective and others may view the development of new homes, landscaping and a 30-foot wide coastal access link as an improvement from the undeveloped condition of the property. The proposed project presents a high quality architectural design with a large amount of landscaping that is compatible with the surrounding uses. In addition, the adjacent slope would be preserved as a significant scenic resource and the project would provide for public views from the project site via the proposed 30-foot wide access path.

The proposed zoning text amendment would provide options for parking in PUD developments that may have an aesthetic impact. For instance, dwelling units that would require a three-car garage may be designed with a tandem configuration such that the garage appears as a two-car garage. Aesthetically, this would be a benefit to projects since the options provide greater design flexibility; front yards could be emphasized and garages would not dominate the street scene in a development. Required parking spaces could be provided in driveways and on the street. This would allow less driveway space to occupy the front yard of a unit, but may also result in more on-street parking spaces being occupied more often. However, any parking configurations proposed under the proposed zoning text amendment would be analyzed for appropriateness as well as aesthetics as individual PUD developments are proposed. Less than significant impacts would occur.

Based on the analysis above, aesthetic impacts from the proposed project would be less than significant.

XIV. CULTURAL RESOURCES. Would the project:

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|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
(Sources:6)
Discussion: See discussion under d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
(Sources:6)
Discussion: See discussion under d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources:6)
Discussion: See discussion under d. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources:6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ATTACHMENT NO. 1.39

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant	No Impact
		Unless Mitigation Incorporated	Impact	

Discussion a – d: The proposed project involves the subdivision of an approximately 5-acre site for the construction of 22 single-family dwellings and associated improvements including a 5,776 square foot open space area. The project site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that is used for temporary construction headquarters for the adjacent Brightwater development. The proposed zoning text amendment will not have any impacts on cultural resources.

An archeological report was prepared by Scientific Resource Surveys (SRS), Inc. in May 2009 and discusses previous investigations of the archeological site, CA-ORA-86. According to the report, the project site contained remnants of CA-ORA-86, which has been the subject of 33 separate archeological investigations, including nine surveys, five site form recordations, five surface collections, five excavation programs, one grading monitoring program, two site inspections, one research design and nine evaluations of the site for significance. CA-ORA-86 has been modified in size and shape through time and is frequently combined with CA-ORA-144 “*The Water Tower Site*” and CA-ORA-83 “*The Cogged Stone Site*”, although it is recorded as a distinct site. The site was first formally mapped in 1961 along the slope edge east of Bolsa Chica Street on the subject site and extending northeast where residential development is now located. CA-ORA-86 was first formally recorded in 1964 and showed essentially the same boundaries as the 1961 map. Since the site was first recorded, it has been disturbed through agricultural activities, a soils enhancement program in which peat deposits were mixed into the sediments, and residential construction in the northern portion of the site (north of Los Patos). In the 1960s and 1970s, several investigations were conducted west of Bolsa Chica Road to verify that the site boundaries were confined to the slope edge east of Bolsa Chica Street. However, investigations in the 1980s and early 1990s re-recorded the site and extended the boundaries west of Bolsa Chica Street and east of the slope edge down into the lowlands. Subsequent archeological investigations in 1999 showed that the property west of Bolsa Chica Street (now the Sandover residential development) did not contain intact deposits of CA-ORA-86.

In 2001, CA-ORA-86 was investigated and the entire project site was subjected to a multistaged program that included a surface survey, surface artifact collection, a systematic auger program, backhoe trenching and hand excavations. One small deposit was found in the southeast corner of the property on the slope edge. Geophysical investigations revealed an oval depression at the deposit site that was identified as the subterranean remains of a single structure. The subsurface remains of the structure were completely removed by hand excavation, which recovered the entire small deposit. No other intact deposits of CA-ORA-86 were found on the project site.

Because the project site was previously investigated for presence of archeological site CA-ORA-86, it is not anticipated that significant deposits will be discovered during construction of the project. However, the following mitigation measures shall be implemented in the event that unanticipated resources are encountered during grading and construction:

CR-1: *The Applicant shall arrange for a qualified professional archaeological monitor to be present during all project-related ground-disturbing activities. The Applicant shall also arrange for a qualified Native American monitor or a rotation of monitors from the interested bands to be present during all project-related ground-disturbing construction activities. In addition, all construction personnel shall be informed of the need to stop work on the project site in the event of a potential find, until a qualified archaeologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited. If archaeological resources are discovered during ground-disturbing activities, all construction activities within 50 feet of the find shall cease until the archaeologist evaluates the significance of the resource.*

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

In the absence of a determination, all archaeological resources shall be considered significant. If the resource is determined to be significant, the archaeologist shall prepare a research design and recovery plan for the resources.

CR-2: *If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.*

With implementation of mitigation measures CR-1 and CR-2, potential impacts to cultural resources would be less than significant.

XV. RECREATION. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Discussion: See discussion under c. | | | | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources:1,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Discussion: See discussion under c. | | | | |
| c) Affect existing recreational opportunities? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion a – c: The project consists of the development of 22 single-family homes and associated site improvements including a 5,776 square foot (0.13 acres) open space area that would primarily serve the development. The project does have the potential to increase usage of recreational facilities in the City due to the introduction of new housing and potentially new residents to the area. The established standard for parks per the City's General Plan is five acres for every 1,000 residents. The proposed development would require 0.29 acres of parkland to meet the established standard for the project. The project is required to pay park fees and/or provide dedication of land in accordance with Chapter 254 of the HBZSO. The proposed zoning text amendment will not have any impacts on recreation.

The project, as part of its public benefit, is proposing to improve an existing 30-foot wide parcel located immediately north of the project site, with a landscaped trail that would provide access from Bolsa Chica Street to an existing informal path on the adjacent Shea property, which ultimately connects to the wetlands. In this respect, the project would further recreational opportunities in the Bolsa Chica area.

The project site has an existing General Plan Land Use designation of Open Space – Parks (OS-P), which is

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

proposed to be amended to RL (Residential Low Density). However, the site is not developed with a park or recreational facility and is not listed on the City's inventory of parks. The site is privately owned and, according to the Community Services Department, no such facilities are planned for the project site. In addition, the Community Services Department has reviewed the proposed General Plan Amendment and, due to the small size of the project and the proximity of four parks within a half-mile of the project site, has indicated that the proposed change in land use designation would not present a significant impact in terms of existing or planned parks and recreational facilities. Therefore, the project's impacts on parks and recreational facilities, including existing recreational opportunities, would be less than significant.

XVI. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources:1,2)
Discussion: See discussion under c. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources:1,2)
Discussion: See discussion under c. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources:1,2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion a – c: Much of Huntington Beach was developed with agricultural fields for many years until approximately the late 1950s when the City started to experience tremendous growth. Today, there is little land zoned or used for agricultural purposes. Most of the remaining agriculturally zoned property is limited to the existing Southern California Edison Right-of-Ways, which are generally utilized for commercial nursery operations.

The proposed zoning text amendment will not have any impacts on agricultural resources. The project includes development of a 5-acre site with 22 single-family homes and associated site improvements. The property is currently undeveloped except for a portion in the southwest corner that is used for temporary construction headquarters for the adjacent Brightwater development. Historically, the property has been used intermittently over the years for agricultural purposes, but has ceased agricultural operations for the last five years. The site is not shown on any map of the California Resources Agency as important, unique or prime farmland. The project site is currently zoned Residential Agricultural (RA) and allows agricultural uses, single-family dwellings, nurseries

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

and temporary uses such as storage yards. The proposed zoning map amendment to RL (Residential – Low Density) would result in the conversion of land zoned for agricultural uses. However, as mentioned, the site is not currently used for agricultural purposes. According to the HBZSO, the intent of the RA zoning district is to provide a “transition or holding zone” for properties with “current” agricultural uses. Since the property is no longer used for agriculture, the RA zoning designation is no longer the appropriate zoning designation and impacts from the change in zoning designation from RA to RL would be considered less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources:1-19)
- ☐ ☒ ☐ ☐

Discussion: As discussed in Section XIV. Cultural Resources, the project site is within a recorded archeological site. Although, it is not anticipated that intact resources exist at the site, due to previous excavation, mitigation measures have been incorporated to address impacts to cultural resources in the event that intact deposits are encountered during project grading and construction. As discussed throughout this initial study, potential impacts that would degrade the quality of the environment would be less than significant.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources:1-19)
- ☐ ☐ ☒ ☐

Discussion: As discussed in Sections I to XVI, the project is not anticipated to have significant cumulatively considerable impacts due to the relatively small scale and nature of the project as well as implementation of project design features and standard City codes and policies that would further reduce impacts. Although the project is proposing to amend the General Plan land use designation, the project is consistent with the General Plan in terms of foreseeable growth in the City. It does not represent a significant negative impact to the environment or goals of the City. Less than significant impacts are anticipated.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1-19)
- ☐ ☐ ☒ ☐

Discussion: As discussed in Sections I to XVI, all potential impacts that could have environmental effects on humans as a result of the project have been found to be less than significant due to the relatively small scale and nature of the project as well as implementation of project design features and standard City codes as well as other applicable codes and policies. As such, impacts would be less than significant.

XVIII. EARLIER ANALYSIS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach
2	City of Huntington Beach Zoning and Subdivision Ordinance	“
3	The Ridge Permit Documentation (March 10, 2009)	“
4	Conceptual Water Quality Management Plan (October 31, 2008)	“
5	Geotechnical Feasibility Study (October 31, 2008)	“
6	Archeological Abstract CA-ORA-86 Scientific Resources Surveys, Inc. (May 2009)	“
7	City of Huntington Beach Geotechnical Inputs Report	“
8	FEMA Flood Insurance Rate Map (February 18, 2004)	“
9	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	“
10	City of Huntington Beach CEQA Procedure Handbook	“
11	Trip Generation Handbook, 7 th Edition, Institute of Traffic Engineers	“
12	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	“
13	Hazardous Waste and Substances Sites List	“
14	State Seismic Hazard Zones Map	“
15	City of Huntington Beach Municipal Code	“
16	URBEMIS Air Quality Assessment (July 2009)	“

17	Summary of Mitigation Measures	Attachment No. 1
18	Reduced Project Plans (June 2, 2009)	Attachment No. 2
19	Code Requirements Letter (November 25, 2008)	Attachment No. 3
20	Draft proposed Zoning Text Amendment No. 09-008	Attachment No. 4

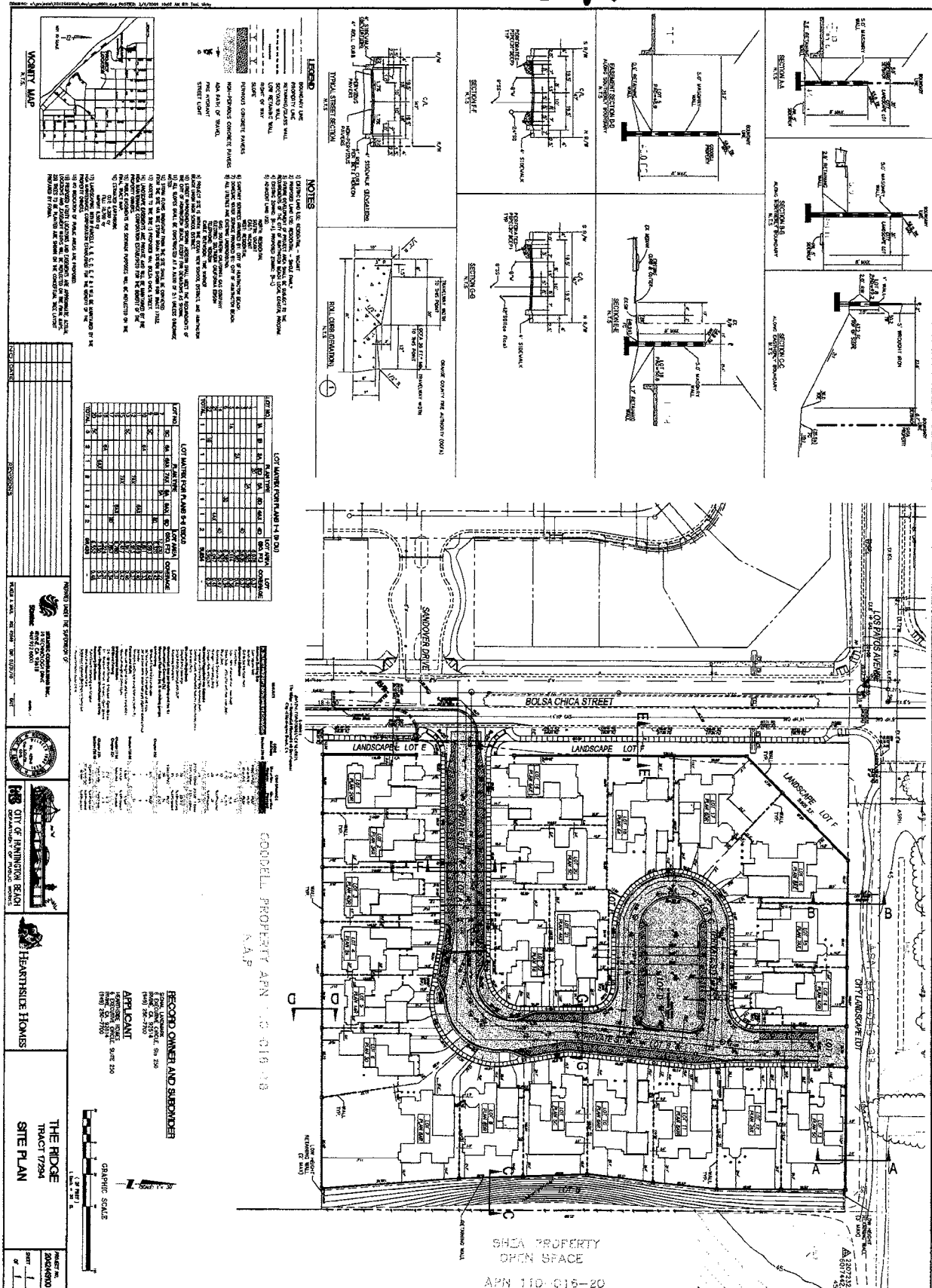
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Summary of Mitigation Measures

<u>Description of Impact</u>	<u>Mitigation Measures</u>
<ul style="list-style-type: none">▪ Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5▪ Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5▪ Disturb any human remains, including those interred outside of formal cemeteries	<p>CR-1: The Applicant shall arrange for a qualified professional archaeological monitor to be present during all project-related ground-disturbing activities. The Applicant shall also arrange for a qualified Native American monitor or a rotation of monitors from the interested bands to be present during all project-related ground-disturbing construction activities. In addition, all construction personnel shall be informed of the need to stop work on the project site in the event of a potential find, until a qualified archaeologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited. If archaeological resources are discovered during ground-disturbing activities, all construction activities within 50 feet of the find shall cease until the archaeologist evaluates the significance of the resource. In the absence of a determination, all archaeological resources shall be considered significant. If the resource is determined to be significant, the archaeologist shall prepare a research design and recovery plan for the resources.</p> <p>CR-2: If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p>

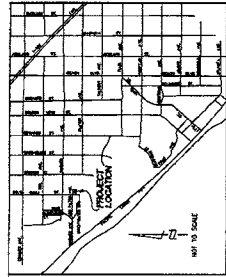
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Attachment 2



ATTACHMENT NO. 1.47

TENTATIVE TRACT MAP NO. 17294



EXISTING EASEMENT SUMMARY

NOTES:
 1. [Note 1]
 2. [Note 2]
 3. [Note 3]
 4. [Note 4]
 5. [Note 5]
 6. [Note 6]
 7. [Note 7]
 8. [Note 8]
 9. [Note 9]
 10. [Note 10]

LEGAL DESCRIPTION

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DEVIATIONS

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TENTATIVE TRACT MAP

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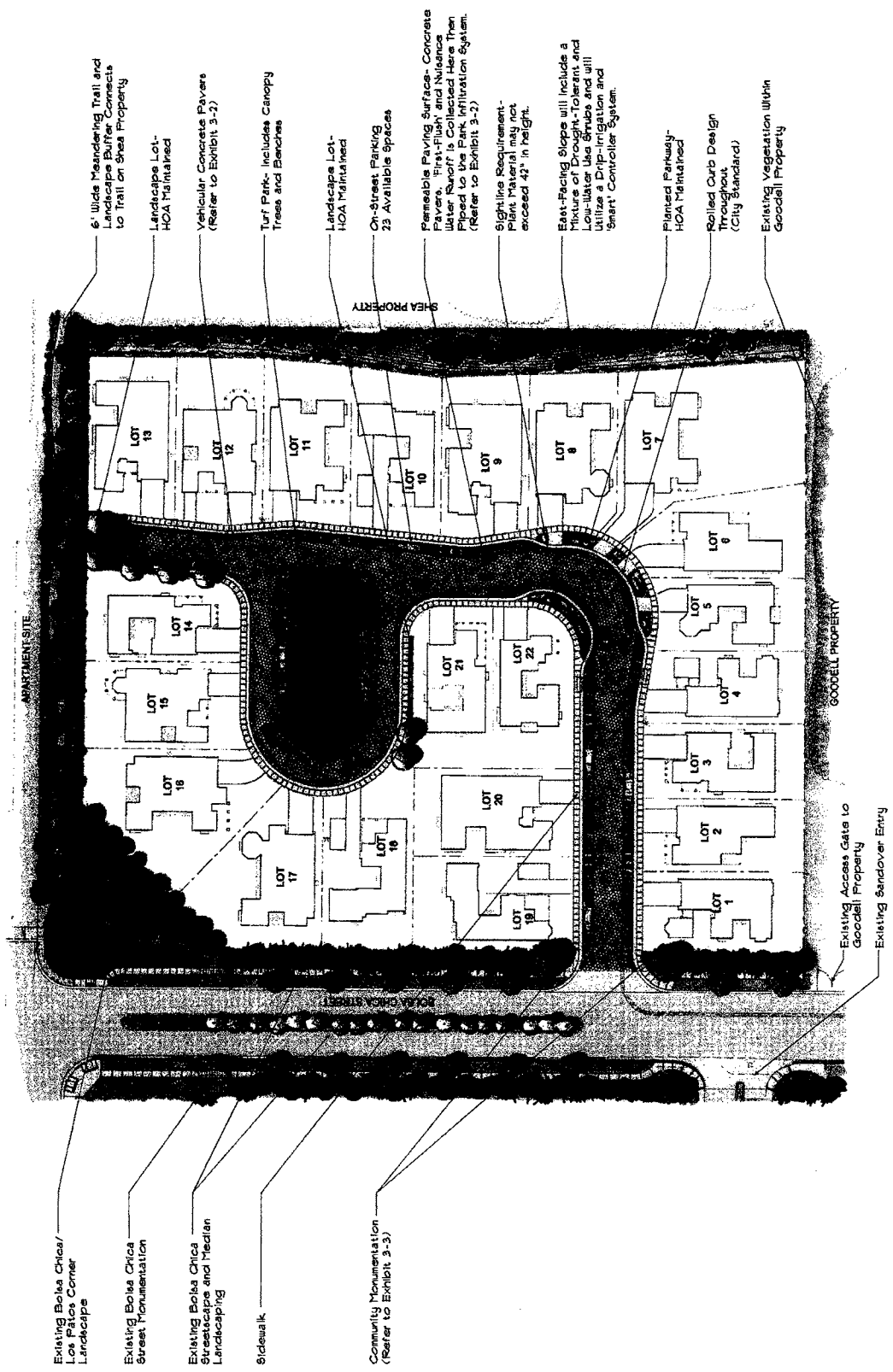
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Existing Bolca Crica/
Los Rios Corner
Landscaping

Existing Bolca Crica
Street Monumentation

Existing Bolca Crica
Streetcapes and Median
Landscaping

Sidewalk

Community Monumentation
(Refer to Exhibit 3-3)

6' Wide Meandering Trail and
Landscape Buffer Connects
to Trail on Shea Property

Landscape Lot-
HOA Maintained

Vehicular Concrete Pavers
(Refer to Exhibit 3-2)

Turf Parks- Includes Canopy
Trees and Benches

Landscape Lot-
HOA Maintained

On-Street Parking
23 Available Spaces

Permeable Paving Surface- Concrete
Pavers. First-Flush and Nuisance
Water Runoff is Collected Here Then
Piped to the Park Infiltration System.
(Refer to Exhibit 3-2)

Signline Requirement-
Plant Material may not
exceed 42" in height.

East-Facing Slope will include a
Mixture of Drought-Tolerant and
Low-Water Use Shrubs and will
Utilize a Drip-Irrigation and
'Smart' Controller System.

Planted Parkway-
HOA Maintained

Rollled Curb Design
Throughout
(City Standard)

Existing Vegetation Within
Goodall Property

Exhibit 3-1

Landscape Concept and Features

THE RIDGE
 City of Huntington Beach

HEARTSIDE HOMES

Attachment 3



HUNTINGTON BEACH FIRE DEPARTMENT PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: DECEMBER 1, 2008
PROJECT NAME: HEARTHSIDE HOMES
ENTITLEMENTS: PLANNING APPLICATION NO. 08-046
PROJECT LOCATION: HUNTINGTON BEACH, CA
PLANNER: JENNIFER VILLASENOR, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 374-661/ jvillasenor@surfcity-hb.org
PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ lealdwell@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT A SMALL LOT DEVELOPMENT FOR 22 SFR ON 5 ACRES, ACROSS FROM THE SANDOVER AND BRIGHTWATER RESIDENTIAL DEVELOPMENTS.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated November 10, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Environmental SOIL SAMPLING SCHEDULES

Imported Soil Plan. All imported soil shall meet *City Specification #431-92, Soil Cleanup Standards*. When required by the Fire Department, off-site soil importation exceeding 50 cubic yards requires an "Imported Soil Plan" to be submitted to the Fire Department for review and joint approval with the Public Works Department prior to soil importation onto the site.

Initial sample schedule:

- 1 sample per 1000 cubic yards of imported fill (prior to import).

ATTACHMENT NO. 1.51

Public Works may also have plan requirements for grading, stockpiling, haul routes, storm water pollution prevention, erosion and/or dust control.

Note: Grading Plans must be approved by the Fire Department prior to issuance of a Public Works grading permit. Standard Fire Department notes are required to be on the plans on oil industry impacted sites. Additional requirements will be necessary for the development of former oilfield property.

Soil testing results must be submitted, and approved by the Fire Department prior to issuance of a building permit. (FD)

SITE DEVELOPMENT

Fire Apparatus Access

Small Lot Development - Fire Access Roads shall be provided and maintained in compliance with City Specification # 401, *Minimum Standards for Fire Apparatus Access*. Driving surface shall be capable of supporting a fire apparatus (75,000 lbs and 12,000 lb point load). Minimum fire access road width for declared small lot development is thirty-six feet (36') wide, curb to curb, with thirteen feet six inches (13' 6") vertical clearance.

NOTE: All buildings or structures within the declared small lot development must be protected with automatic fire sprinklers throughout. For Fire Department approval, reference and demonstrate compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. (FD)

Fire Lanes, as determined by the Fire Department, shall be posted, marked, and maintained per City Specification #415, *Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties*. The site plan shall clearly identify all red fire lane curbs, both in location and length of run. The location of fire lane signs shall be depicted. No parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per City Specification # 415. For Fire Department approval, reference and demonstrate compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. (FD)

Secured Vehicle Entries shall utilize KNOX® activated access switches (Knox switches for automated gates, Knox padlocks for manual gates), and comply with City Specification #403, *Fire Access for Pedestrian or Vehicular Security Gates & Buildings*. Reference compliance in the plan notes. (FD)

Secured Automated Vehicle Entry Gates (Residential) shall utilize a combination "Strobe-Activated Switch" and "Knox Manual Key Switch", and comply with City Specification # 403, *Fire*

ATTACHMENT NO. 1.52

Access for Pedestrian or Vehicular Security Gates & Buildings. Reference compliance with City Specification # 403 Fire Access for Pedestrian or Vehicular Security Gates & Buildings in the plan notes. (FD)

+++++

Fire Hydrants and Water Systems

Fire Hydrants are required. 3 hydrants are required - Please contact use for recommended locations. Hydrants must be portrayed on the site plan. Hydrants shall be installed and in service before combustible construction begins. Installation of hydrants and service mains shall meet NFPA 13 and 24 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification # 407 Fire Hydrant Installation Standards requirements. Maximum allowed velocity of fire flow in supply piping is 12 fps. Plans shall be submitted to Public Works and approved by the Public Works and Fire Departments. For Fire Department approval, portray the fire hydrants and reference compliance with NFPA 13 and 24 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification #407 Fire Hydrant Installation Standards in the plan notes. (FD)

Fire Suppression Systems

Fire Alarms

Fire Alarm System is required. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with *UBC 305.9* on the plans. A C-10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. (FD)

Fire Sprinklers

Small Lot Developments (SFD) - Residential (NFPA 13D) Automatic Fire Sprinklers are required for "Small Lot Developments". NFPA 13D automatic fire sprinkler systems are required per Huntington Beach Fire Code for new residential one and two family dwellings and manufactured homes with a declared Small Lot Development designation.

Separate plans (three sets) shall be submitted to the Fire Department for permits and approval.

Automatic fire sprinkler systems must be maintained operational at all times.

For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

ATTACHMENT NO. 153

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. **(FD)**

Modification, additions, or deletions to an existing automatic fire sprinkler system or fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Any extended interruption of the fire sprinkler system operation will require a "fire watch", approved by the Fire Department. Reference compliance with City Specification # 420 - Automatic Fire Sprinkler Systems and NFPA 13 in the plan notes. **(FD)**

Residential (NFPA 13D) Automatic Fire Sprinklers Systems Supply. Residential NFPA 13D fire sprinkler systems supply shall be a minimum of a one inch (1") water meter service, installed per Fire Department, Public Works, and Water Division Standards. Depending on fire sprinkler system demands, larger water service may be required. Separate plans shall be submitted to the Public Works Department for approval and permits, and must be completed prior to issuance of a grading permit. The water service improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer. Contact Huntington Beach Public Works Department (714-536-5431) for water meter requirements. **(FD)**

Fire Sprinkler Underground

On-Site Fire Service Piping (FSP) Application for permit shall be made for on-site Fire Service Piping (FSP), including but not limited to, private fire service mains and underground sprinkler laterals. Maximum allowed velocity of fire flow in supply piping is 12 fps. Additionally, application for permit shall be made for fire protections systems (sprinklers, alarms, chemical, fire pumps, etc.) as applicable.

Permits may be obtained at the City of Huntington Beach Department Fire Department by completing a Fire Permit Form (available at Fire Administration) and submitting such plans and specifications as required by the bureau of fire prevention. A permit constitutes permission to begin work in accordance with approved plans and specifications. The permit fee includes plan checking and inspections by an authorized fire prevention inspector. Development reviews/approvals by the bureau of fire prevention during planning do not constitute approval to perform FSP or fire protection system work, unless otherwise noted. **(FD)**

Connection to the Public Water Supply - Separate plans shall be submitted to the Public Works Department detailing the connection, piping, valves and back-flow prevention assembly (DDCA) for approval and permits. Approval by Public Works and the Fire Department must be completed prior to issuance of a grading permit. The dedicated private fire water service off-site

ATTACHMENT NO. 1.54

improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer.
(FD)

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the building plan notes. (FD)

Addressing and Street Names

Residential (SFD) Address Numbers shall be installed to comply with City Specification #428, Premise Identification. Number sets are required on front of the structure in a contrasting color with the background and shall be a minimum of four inches (4") high with one and one half inch (½") brush stroke. For Fire Department approval, reference compliance with City Specification #428, Premise Identification in the plan notes and portray the address location on the building.
(FD)

GIS Mapping Information

- a. **GIS Mapping Information** shall be provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. Minimum submittals shall include the following:
- Site plot plan showing the building footprint.
 - Specify the type of use for the building
 - Location of electrical, gas, water, sprinkler system shut-offs.
 - Fire Sprinkler Connections (FDC) if any.
 - Knox Access locations for doors, gates, and vehicle access.
 - Street name and address.

Final site plot plan shall be submitted in the following digital format and shall include the following:

- Submittal media shall be via CD rom to the Fire Department.
- Shall be in accordance with County of Orange Ordinance 3809.
- File format shall be in .shp, AutoCAD, AUTOCAD MAP (latest possible release) drawing file - .DWG (preferred) or Drawing Interchange File - .DXF.

ATTACHMENT NO. 1.55

- Data should be in NAD83 State Plane, Zone 6, Feet Lambert Conformal Conic Projection.
- Separate drawing file for each individual sheet.
In compliance with Huntington Beach Standard Sheets, drawing names, pen colors, and layering convention. and conform to *City of Huntington Beach Specification # 409 – Street Naming and Addressing*.

For specific GIS technical requirements, contact the Huntington Beach GIS Department at (714) 536-5574.

For Fire Department approval, reference compliance with *GIS Mapping Information* in the building plan notes. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

ATTACHMENT NO. 1.56



**HUNTINGTON BEACH
PUBLIC WORKS DEPARTMENT
SUGGESTED CONDITIONS OF APPROVAL**

DATE: DECEMBER 9, 2008

PROJECT NAME: THE RIDGE RESIDENTIAL DEVELOPMENT

ENTITLEMENTS: GPA 08-011, ZMA 08-007, EA 08-016, CUP 08-046, CDP 08-022, TTM 08-125

PLNG APPLICATION NO. 2008-0220

DATE OF PLANS: OCTOBER 31, 2008

PROJECT LOCATION: 17202 BOLSA CHICA ST. APN: 110-016-35 SOUTHEAST4990 "A" STREET, "B" STREET AND "C" STREET (EAST SIDE OF BOLSA CHICA, SOUTH OF LOS PATOS)

PLANNER JENNIFER VILLASENOR, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: 714-374-1661/ JVILLASENOR@SURFCITY-HB.ORG

PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER

TELEPHONE/E-MAIL: 714-374-1692 / DDEBOW@SURFCITY-HB.ORG

PROJECT DESCRIPTION: HEARTHSIDE HOMES HAS SUBMITTED A REQUEST TO AMEND THE ZONING MAP AND GENERAL PLAN LAND USE DESIGNATIONS FROM RESIDENTIAL AGRICULTURAL AND OPEN SPACE-PARKS, RESPECTIVELY TO RESIDENTIAL - LOW DENSITY FOR THE CONSTRUCTION OF A 22 SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD). THE 5 ACRE SITE IS LOCATED ACROSS FROM THE SANDOVER AND BRIGHTWATER RESIDENTIAL DEVELOPMENTS.

**THE FOLLOWING CONDITION IS REQUIRED TO BE COMPLETED PRIOR TO ISSUANCE
OF A PRECISE GRADING PERMIT:**

1. The developer shall design and improve, and "The Ridge" Homeowners Association (HOA) shall maintain the linear open space along the north property line to the City of Huntington Beach design and maintenance standards for landscaped areas. The soil within the linear open space shall be tested and the results shall be acceptable to the City for landscape improvements. If the soil tests reveal unacceptable and/or un-mitigable agricultural soil conditions, the developer shall remove all soil within the linear open space area to a depth of thirty six inches and replace that soil with Class A topsoil that has been tested and approved by an approved testing laboratory and by the City for importation. All materials used for irrigation and planting shall be approved by the City, and all installation shall be reviewed and approved by the City prior to final inspection of the first dwelling unit within the tract.

ATTACHMENT NO. 1.57



HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: DECEMBER 9, 2008

PROJECT NAME: THE RIDGE RESIDENTIAL DEVELOPMENT

ENTITLEMENTS: GPA 08-011, ZMA 08-007, EA 08-016, CUP 08-046, CDP 08-022, TTM 08-125

PLNG APPLICATION NO. 2008-0220

DATE OF PLANS: OCTOBER 31, 2008

PROJECT LOCATION: 17202 BOLSA CHICA ST. APN: 110-016-35 SOUTHEAST4990 "A" STREET, "B" STREET AND "C" STREET (EAST SIDE OF BOLSA CHICA, SOUTH OF LOS PATOS)

PLANNER JENNIFER VILLASENOR, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: 714-374-1661/ JVILLASENOR@SURFCITY-HB.ORG

PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER

TELEPHONE/E-MAIL: 714-374-1692 / DDEBOW@SURFCITY-HB.ORG

PROJECT DESCRIPTION: HEARTHSIDE HOMES HAS SUBMITTED A REQUEST TO AMEND THE ZONING MAP AND GENERAL PLAN LAND USE DESIGNATIONS FROM RESIDENTIAL AGRICULTURAL AND OPEN SPACE-PARKS, RESPECTIVELY TO RESIDENTIAL -LOW DENSITY FOR THE CONSTRUCTION OF A 22 SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD). THE 5 ACRE SITE IS LOCATED ACROSS FROM THE SANDOVER AND BRIGHTWATER RESIDENTIAL DEVELOPMENTS.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer.

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THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO DEEMING THE APPLICATION COMPLETE:

1. The developer shall submit detailed geological, sewer, drainage, flood control, soils, traffic and other reports deemed necessary by the City Engineer to permit a complete review of the design and improvements for the subdivision. The developer shall also submit a fiscal impact report prepared by an independent economic analyst, evaluating the projected impacts the development may have on city services. This report shall also include marketing and cost benefit information for the project. (ZSO 252.04)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO RECORDATION OF A FINAL VESTING TRACT MAP UNLESS OTHERWISE STATED:

2. The site plan received and dated October 31, 2008 shall be the conditionally approved layout except for:
 - a. The proposed 4-inch deviated wedge curb shall be replaced with City of Huntington Beach Standard Plan No. 216. Curb height shall be determined pursuant to the approved hydrology and hydraulic study.
 - b. Sewer and Water pipeline design shall be shown in "C" Street.
 - c. Design and specifications for all public facilities including but not limited to on and off-site sewer, water, drainage, roads and other improvements.
3. Final Vesting Tract Map shall be submitted to the City of Huntington Beach Public Works Department for review and approval and shall include a title report to indicate the fee title owner(s) as shown on a title report for the subject properties. The title report shall not be more than six (6) weeks old at the time of submittal of the final Vesting Tract Map.
4. The Final Vesting Tract Map shall be consistent with the approved Vesting Tentative Tract map. (ZSO 253.14)
5. The following dedications to the City of Huntington Beach shall be shown on the Final Vesting Tract Map. (ZSO 230.84A & 253.10K)
 - a. A utility easement, covering the public water and sewer facilities and appurtenances located within "A" Street, "B" Street and "C" Street. The water easement shall be a minimum total width of 10-feet clear (5-feet either side of the water pipeline or appurtenance), unobstructed paved or landscaped surface, pursuant to Water Division standards. Where access is restricted or impacted by structures, walls, curbs, etc., the easement width shall be 20-feet to allow for equipment access and maintenance operations. The sewer easement shall be per Huntington Beach Standard Plan No. 500. The City shall have access to public sewer and water facilities and appurtenances at all times, with access rights in, over, across, upon and through "A" Street, "B" Street and "C" Street for the purpose of maintaining, servicing, cleaning, repairing and replacing the sewer and water system as dedicated to the City.
 - b. An easement over "A" Street, "B" Street and "C" Street for Police and Fire Departments access.
 - c. A pedestrian easement at the entrance of "A" Street and Bolsa Chica Street for north/south pedestrian path of travel.)

- d. A 2-ft. public utility easement for "A" Street, "B" Street and "C" Streets, per Huntington Beach Standard Plan No. 104.
6. The water system and appurtenances for the entire project shall be a public system.
7. The sewer system and appurtenances for the entire project shall be a public system.
8. The storm drain system located within private streets shall be private and maintained by the Homeowner's Association.
9. A final hydrology and hydraulic analysis for the runoff from this project (10, 25, and 100-year storms and back-to-back 100 year storms shall be analyzed) and its impact to the existing downstream storm drainage system shall be submitted to Public Works for review and approval with first submittal of the Precise Grading Plan. In addition, this study shall include 24-hour peak back-to-back 100-year storms for onsite attenuation analysis. Possible mitigation measures to manage increased storm water runoff may include on-site attenuation and/or construction of downstream drainage improvements. The study and the proposed drainage improvements shall include on-site, privately maintained BMPs to control the quality of run-off water from the development. The study shall also justify final pad elevations on the site in conformance with the latest FEMA requirements and City Standard Plan No. 300. (ZSO 230.84)
10. A will-serve letter from the Orange County Sanitation District (OCSD), to accept the discharge from the new development into the existing OCSD sewer in Los Patos Ave. shall be obtained. A copy shall be provided to the City of Huntington Beach, Public Works Department.
11. A qualified, Licensed Engineer shall prepare a detailed soils and geotechnical analysis. This analysis shall include Phase II Environmental on-site soil sampling in areas not previously investigated and laboratory testing of materials to provide detailed recommendations for grading, chemical and fill properties, liquefaction, foundations, landscaping, dewatering, ground water, retaining walls, pavement sections and utilities. (ZSO 251.06 & 253.12)
12. A Traffic Impact Analysis shall be submitted for review and approval for this project. (GP)
13. Applicant shall provide a consulting arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. (Resolution 4545)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).
14. Documentation, including closure calculations, shall be provided to establish the boundary lines of the tract.
15. A reproducible Mylar copy and a print of the recorded final tract map shall be submitted to the Department of Public Works at the time of recordation.
16. The engineer or surveyor preparing the final map shall comply with Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18 for the following item:
 - a. Tie the boundary of the map into the Horizontal Control System established by the County Surveyor.
 - b. Provide a digital-graphics file of said map to the County of Orange.

ATTACHMENT NO. 1.60

17. Provide a digital-graphics file of said map to the City per the following design criteria:
 - a. Design Specification:
 - i. Digital data shall be full size (1:1) and in compliance with the California coordinate system – STATEPLANE Zone 6 (Lambert Conformal Conic projection), NAD 83 datum in accordance with the County of Orange Ordinance 3809.
 - ii. Digital data shall have double precision accuracy (up to fifteen significant digits).
 - iii. Digital data shall have units in US FEET.
 - iv. A separate drawing file shall be submitted for each individual sheet.
 - v. Digital data shall be in compliance with the Huntington Beach Standard Sheets, drawing names, pen color and layering conventions.
 - vi. Feature compilation shall include, but shall not be limited to: Assessor's Parcel Numbers (APN), street addresses and street names with suffix.
 - b. File Format and Media Specification:
 - i. Shall be in compliance with one of the following file formats (AutoCAD DWG format preferred):
 - AutoCAD (version 2000, release 4) drawing file: _____.DWG
 - Drawing Interchange file: _____.DXF
 - ii. Shall be in compliance with the following media type:
 - CD Recordable (CD-R) 650 Megabytes
18. All improvement securities (Faithful Performance, Labor and Material and Monument Bonds) and Subdivision Agreement shall be posted with the Public Works Department and approved as to form by the City Attorney, if it is desired to record the final map or obtain building permits before completion of the required improvements. (ZSO 255.16)
19. A Certificate of Insurance shall be filed with the Public Works Department and approved as to form by the City Attorney. (ZSO 253.12K)
20. The grading and improvement plans shall be submitted to the Department of Public Works for review and approval. The engineer shall submit cost estimates for determining bond amounts. (ZSO 255.16C & MC 17.05)
21. A Homeowners' Association(s) (HOA) shall be formed, and shall include responsibility for the maintenance and replacement of the following for the total project area:
 - a. Required landscape on Bolsa Chica Street
 - b. Items within the Maintenance License Agreement (including landscaped area along the northerly project boundary)
 - c. Lot G and Lot D
 - d. Common onsite landscaping and irrigation improvements
 - e. Private storm drainage systems
 - f. Best Management Practices (BMP's) as per the approved Water Quality Management Plan (WQMP)

ATTACHMENT NO. 1.61

- CC&R's shall be required for the development and the aforementioned items shall be addressed in the development's CC&R's.
22. The Homeowners' Association (HOA) shall enter into a Special Utility Easement Agreement with the City of Huntington Beach for maintenance and control of the area within the public water and sewer easements, which shall address repair to any enhanced pavement, etc., if the public water and sewer pipelines and/or appurtenances require repair or maintenance. The HOA shall be responsible for repair and replacement of any enhanced paving due to work performed by the City in the maintenance and repair of any public water or sewer pipelines. The Special Utility Easement Agreement shall be referenced in the CC&R's. (Resolution 2003-29)
 23. The Final Vesting Tract Map shall be consistent with the approved Tentative Vesting Tract Map. (ZSO 253.04)
 24. All applicable Public Works fees shall be paid. (ZSO 250.16)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A PRECISE GRADING PERMIT:**

1. The final Vesting Tract map shall be recorded with the County of Orange prior to issuance of a precise grading permit.
2. Separate plans for removals, stockpiling, surcharge and other independent or phased remedial or earth moving operations shall be prepared by a Licensed Civil Engineer, and be submitted to the Public Works Department for review and approval. (MC 17.05.140)
3. If soil remediation is required, a remediation plan shall be submitted to the Planning, Public Works and Fire Departments for review and approval in accordance with City Specifications No. 431-92 and the conditions of approval. The plan shall include methods to minimize remediation-related impacts on the surrounding properties; details on how all drainage associated with the remediation efforts shall be retained on site and no wastes or pollutants shall escape the site; and shall also identify wind barriers around remediation equipment. (MC 17.05.150/FD Spec. 431-92)
4. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. Final grades and elevations on the grading plans shall not vary by more than 1-foot from the grades and elevations on the approved Vesting Tentative Tract Map and site plan, unless otherwise required by these development requirements and/or conditions of approval, and as directed by the Department of Public Works. (MC 17.05/ZSO 255.04A)
5. Street Improvement Plans, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines. The following improvements shall be shown on the plan:
 - a. Curb, gutter and ADA compliant sidewalk shall be provided for along "A" Street, "B" Street and "C" Street, per CHB Standard Plan No. 202. ADA compliant meandering sidewalk shall be provided for along Bolsa Chica Street. ADA compliant access shall be provided through all improvements, including off-site locations, where improvements are included in project related plans. All sidewalks shall meet ADA, Title 24 and Public Works standards to the maximum extent feasible.

ATTACHMENT NO. 1.62

- b. Curb ramps compliant with current ADA requirements shall be installed on the east side curb returns at the intersection of Bolsa Chica Street and "A" street. (ADA)
 - c. Curb ramps compliant with current ADA requirements shall be installed at the intersections of "B" Street and "C" Street. (ADA)
 - d. Intersection sight distance shall be provided at the intersection of Bolsa Chica Street and "A" Street. Sight distance criteria shall be based on Caltrans Highway Design Manual, Chapter 400.
 - e. The sewer facilities shall be designed per the approved final Sewer Study and City Standards.
 - f. Each dwelling unit shall have a new sewer lateral installed connecting to the main in the street. (ZSO 230.84)
 - g. All drainage facilities shall be designed per the approved final hydrology and hydraulics study and City Standards. (ZSO 255.04A)
 - h. Each separate landscaping area (i.e. Home Owner's Association (HOA) property, public common landscaping areas, park site, etc.) shall have separate irrigation meters and services. The irrigation water services shall be a minimum of 1-inch in size. (Resolution 2003-29, ZSO 232)
 - i. Each dwelling unit shall have a separate domestic water service and meter installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). The domestic water service shall be a minimum of 1-inch in size. (ZSO 230.84)
 - j. Separate backflow protection devices shall be installed per Water Standards for all domestic and irrigation water services. (Resolution 5921 and Title 17)
 - k. Street lighting plans on Bolsa Chica Street along the project frontage and on "A" Street, "B" Street and "C" Street shall be prepared by a Licensed Civil or Electrical Engineer and submitted to the Public Works Department for review and approval. A photometric plan shall be submitted to Public Works, which indicates the existing, relocated and proposed street lights and the adequacy of such lighting. Lighting shall be per the City of Huntington Beach Standard Plans. (ZSO 230.84, City Standard Plan No. 411)
 - l. A signing and striping plan for Bolsa Chica Street shall be prepared by a Licensed Civil or Traffic Engineer and be submitted to the Public Works Department for review and approval. The plans shall be prepared according to the City of Huntington Beach Signing and Striping Plan Preparation Guidelines. (ZSO 230.84)
 - m. A new 8-inch water pipeline shall be constructed, per Water Division Standards, along the new "A" Street, "B" Street and "C".
 - n. No modifications to the sewer or water facilities and pavement located within the easement shall be allowed without proper notification and written approval from the City in advance. Such modifications may include, but are not limited to, connections to the water and sewer systems and pavement overlay. (ZSO 255.04E)
6. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)

ATTACHMENT NO. 1.63

- a. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - b. Standard landscape code requirements apply. (ZSO 232)
7. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
8. Landscaping plans should utilize drought-tolerant landscape materials where appropriate and feasible. (DAMP)
9. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. (Resolution-4545)
10. The Project Water Quality Management Plan (WQMP) shall address the City's plan check comments from the Conceptual WQMP dated September 26, 2008; and shall conform to the City of Huntington Beach's Project WQMP Preparation Guidance Manual dated June 2006 and prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance and shall include the following:
 - a. Discusses regional or watershed programs (if applicable)
 - b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP)
 - d. Incorporates Treatment Control BMPs as defined in the DAMP
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs
 - h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs
 - i. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i. The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii. The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - j. The applicant shall return one CD media to Public Works for the project record file.

ATTACHMENT NO. 1.64

11. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
12. The current tree code requirements shall apply to this site. (ZSO 232)
 - a. Existing trees to remain on site shall not be disfigured or mutilated, (ZSO 232.04E) and,
 - b. General tree requirements, regarding quantities and sizes. (ZSO 232.08B and C)
13. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
14. All applicable Public Works fees shall be paid per Chapter 232 of the Zoning and Subdivision Ordinance. (ZSO 232)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING THE IMPROVEMENT OPERATIONS:

1. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
2. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
3. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
4. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
5. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
6. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
7. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
8. Wind barriers shall be installed along the perimeter of the site. (DAMP)
9. Remediation operations, if required, shall be performed in stages concentrating in single areas at a time to minimize the impact of fugitive dust and noise on the surrounding areas.
10. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

ATTACHMENT NO. 1.65

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED

PRIOR TO FINAL INSPECTION:

1. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.
2. Traffic impact fees shall be paid at the rate applicable at the time of occupancy. The current rate of \$163 per net new added daily trip is adjusted annually. This project is forecast to generate 264 new daily trips for a total traffic impact fee of \$43,032.00 or \$1,956.00 per residential unit. (MC 17.65)
3. All landscape, irrigation and hardscape improvements for the park shall be completed.
4. Complete all improvements as shown on the approved grading, street improvement and landscape plans. (MC 17.05)
5. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
6. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
7. All new utilities shall be undergrounded. (MC 17.64)
8. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)
9. All applicable Public Works fees shall be paid per Chapter 232 of the Zoning and Subdivision Ordinance. (ZSO 232)

ATTACHMENT NO. 1.66



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: DECEMBER 3, 2008
PLANNER: JENNIFER VILLASENOR
PROJECT NAME: HEARTHSIDE HOMES
REQUEST: TO AMEND THE ZONING MAP AND GENERAL PLAN TO ALLOW 22 LOW DENSITY SINGLE FAMILY HOMES.
PROJECT LOCATION: SE CORNER OF BOLSA CHICA STREET AND LOS PATOS AVE.
PLAN REVIEWER: JAN THOMAS
TELEPHONE/E-MAIL: (949) 348-8186 jckthomas@cox.net

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

Conditions listed below shall be completed before final inspection.

SUGGESTED CONDITIONS OF APPROVAL

Recommendation:

Lot D shall include no berms. It shall remain level with the street. Following are three reasons:

1. Visibility to and around the homes and neighborhood will remain open.
2. Balls will not as readily roll into the street. (Possibly add a small fence at the east end of the park.)
3. Parents are able to watch their child play in that area, if the parent is watching from his/her home.

Recommendation:

The meandering trail and landscape lot to the north of the project should be lighted throughout all hours of darkness.

Landscaping in this area shall be designed and maintained to allow users to view their surroundings. Potential offenders should have no dense landscaping to use for concealment.

ATTACHMENT NO. 1.67



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: DECEMBER 3, 2008
PROJECT NAME: HEARTHSIDE HOMES
PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 08-0220
DATE OF PLANS: OCTOBER 31, 2008
PROJECT LOCATION: APN: 110-016-35
PROJECT PLANNER: JENNIFER VILLASENOR, ASSOCIATE PLANNER
PLAN REVIEWER: JASON KWAK, PLAN CHECK ENGINEER
TELEPHONE/E-MAIL: (714) 536-5278 / jkwak@surfcity-hb.org
PROJECT DESCRIPTION: REQUEST TO AMEND THE EXISTING GP DESIGNATION FROM OPEN SPACE-PARK (OS-P) TO RESIDENTIAL MEDIUM DENSITY (RM-15) TO PERMIT THE DEVELOPMENT OF 22 SINGLE-FAMILY UNITS.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the 2007 California Building Code, 2007 California Mechanical Code, 2007 California Plumbing Code, 2007 California Electrical Code, 2007 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.

ATTACHMENT NO. 1.68

Attachment 4

Property Development Standards for Residential Districts

	RL	RM	RMH-A Subdistrict	RMH	RH	RMP	Additional Provisions	
Minimum Building Site	6,000	6,000	2,500	6,000	6,000	10 ac.	(A)(B)(C)	(3410-3/99)
Width (ft.)	60	60	25	60	60	N/A		(3334-6/97, 3410-3/99)
Cul de sac frontage	45	45	-	45	45	N/A		(3334-6/97, 3410-3/99)
Minimum Setbacks							(D)(R)	(3334-6/97, 3410-3/99)
Front (ft.)	15	15	12	10	10	10	(E)(F)	(3334-6/97, 3410-3/99)
Side (ft.)	3;5	3;5	3;5	3;5	3;5	-	(G)(I)(J)	(3334-6/97, 3410-3/99)
Street Side (ft.)	6;10	6;10	5	6;10	6;10	10	(H)	(3334-6/97, 3410-3/99)
Rear (ft.)	10	10	7.5	10	10	-	(I)(J)	
Accessory Structure							(U)	(3334-6/97, 3410-3/99)
Garage							(K)	(3334-6/97, 3410-3/99)
Projections into Setbacks							(L)(R)	(3334-6/97, 3410-3/99)
Maximum Height (ft.)								
Dwellings	35	35	35	35	35	20	(M)	(3334-6/97, 3410-3/99)
Accessory Structures	15	15	15	15	15	15	(M)(R)	(3410-3/99)
Maximum Floor Area Ratio (FAR)	-	-	1.0	-	-	-		(3334-6/97, 3410-3/99) (3410-3/99)
Minimum Lot Area per Dwelling Unit (sq. ft.)	6,000	2,904	*	1,742	1,244	-		(3334-6/97, 3410-3/99)
Maximum Lot Coverage (%)	50	50	50	50	50	75	(V)	(3334-6/97, 3410-3/99)
Minimum Floor Area							(N)	(3334-6/97, 3410-3/99)
Minimum Usable Open Space							(O)	
Courts							(P)	(3334-6/97, 3410-3/99)
Accessibility within Dwellings							(Q)	(3410-3/99)
Waterfront Lots							(R)	(3334-6/97, 3410-3/99)
Landscaping			See Chapter 232				(S)	(3334-6/97, 3410-3/99)
Fences and Walls			See Section 230.88					
Lighting							(T)	(3334-6/97, 3410-3/99)
Underground Utilities			See Chapter 17.64					
Screening of Mechanical Equipment			See Section 230.76					
Refuse Storage Areas			See Section 230.78					(3410-3/99)
Antenna			See Section 230.80					(3410-3/99)
Performance Standards			See Section 230.82					
Off-Street Parking and Loading			See Chapter 231 & Section 210.12					
Signs			See Chapter 233					
Nonconforming Structures			See Chapter 236					
Accessory Structures			See Chapter 230.08					(3706-6/05)

* Lots 50 feet or less in width = 1 unit per 25 feet of frontage
 Lots greater than 50 feet in width = 1 unit per 1,900 square feet
 N/A = Not applicable

ATTACHMENT NO. 1.69

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

210.10 Modifications for Affordable Housing

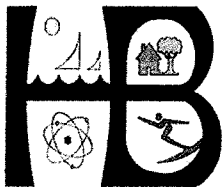
The Planning Commission may approve a conditional use permit modifying the minimum property development standards in this chapter for affordable housing, as provided in Section 230.14. The proposed modifications shall be requested in writing by the applicant, accompanied by a detailed pro-forma, rental guidelines, deed restrictions, financial subsidies, and other types of documentation which will serve to demonstrate the need for a reduction of development standards. Modifications to the standards may include, but are not limited to, the parking requirements and open space. The specific standard(s) from which the applicant is requesting relief shall be identified and alternative development standard(s) proposed. (3334-6/97, 3410-3/99)

210.12 Planned Unit Development Supplemental Standards and Provisions

This section establishes supplemental development standards and provisions that shall apply to all planned unit developments. (3334-6/97)

- A. Maps. A tentative and final or parcel map shall be approved pursuant to Title 25, Subdivisions. (3334-6/97)
- B. Project Design.
 - 1. Driveway parking for a minimum of fifty percent of the units shall be provided when units are attached side by side. (3334-6/97)
 - 2. A maximum of six units may be attached side by side and an offset on the front of the building a minimum of four (4) feet for every two units shall be provided. (3334-6/97)
 - 3. A minimum of one-third of the roof area within a multi-story, multi-unit building shall be one story less in height than the remaining portion of the structure's roof area. (3334-6/97)
 - 4. The number of required parking spaces for each dwelling unit shall be provided in accordance with Chapter 231. In addition, one or more of the following alternative parking configurations may be permitted in a Planned Unit Development if it is determined that such configuration and location thereof will be accessible and useful in connection with the proposed dwelling units of the development:
 - a. Required enclosed spaces may be provided in a tandem configuration provided that the minimum parking space dimensions comply with Section 231.14.
 - b. Required open spaces may be provided with a combination of off-street and on-street spaces as long as the total number of required parking spaces is provided with the development site.


ATTACHMENT NO. 1.70



CITY OF HUNTINGTON BEACH

Planning Commission Communication

TO: Scott Hess, Planning Commission Secretary

FROM: Blair Farley, Planning Commissioner 

DATE: September 11, 2009

SUBJECT: **APPEAL OF THE ENVIRONMENTAL ASSESSMENT COMMITTEE'S (EAC) ENVIRONMENTAL REVIEW DETERMINATION FOR "THE RIDGE" – 22-UNIT PLANNED UNIT DEVELOPMENT PROJECT (EA 08-016)**

I am hereby appealing the September 2, 2009 action of the EAC regarding the determination to process a Mitigated Negative Declaration for "The Ridge" project – a 22-unit single-family Planned Unit Development located at the southeast corner of Bolsa Chica Street and Los Patos Avenue.

I believe that an EIR should be prepared for the project for the following reasons:

- Potential impacts on the adjacent ESHA due to project grading and site elevation;
- Potential impacts to cultural resources based on previous projects in the surrounding area;
- Potential impacts to the groundwater and adjacent ESHA due to project drainage concept, specifically the use of pervious surfaces.

BF:SH:jv

cc: Planning Commissioners
Fred Wilson, City Administrator
Bob Hall, Deputy City Administrator
Herb Fauland, Planning Manager
Mary Beth Broeren, Planning Manager
Ed Mountford, Hearthside Homes, Applicant/Property Owner

ATTACHMENT NO. 2

Chapter 240 Zoning Approval; Environmental Review; Fees and Deposits

Sections:

240.02	Zoning Approval
240.04	Environmental Review
240.06	Fees and Deposits

240.02 Zoning Approval

To ensure that each new or expanded use of a site and each new, expanded, reconstructed or structurally altered structure complies with Titles 20-23, zoning approval shall be required prior to issuance of a building, grading, coastal development or demolition permit, certificate of occupancy, business license, or utility service connection. If any grading or scraping is proposed as part of a project, a survey of existing topography on the site and adjacent land within 5 feet of the site boundaries and any proposed changes in topography shall be submitted to the Director for review and approval prior to issuance of a building permit, grading permit, or demolition permit. The contours of the land shall be shown at intervals of not more than 5 feet. Grading or stockpiling which involves 25,000 cubic yards or more of import or export shall be referred to the Planning Commission for review and approval prior to issuance of the grading or stockpile permit.

(3334)

240.04 Environmental Review

- A. Purpose. The purpose of this section is to implement the California Environmental Quality Act of 1970 (CEQA). This section shall apply to all permits or entitlements, not otherwise exempt, requiring discretionary action by the City. The City Council shall by resolution adopt policies, objectives, criteria, and procedures regulating environmental evaluation of public and private projects. This section and the provisions adopted by resolution provide the basic principles, objectives, criteria, procedures, and definitions to ensure consistent implementation of the California Environmental Quality Act.
- B. Establishment of Environmental Assessment Committee. There is hereby established an Environmental Assessment Committee consisting of the Director of Community Development, the Director of Public Works, and the City Attorney, or a designated representative of each. A quorum shall require at least two members.
- C. The Environmental Assessment Committee shall have responsibility for evaluating the environmental impact of all discretionary projects, determine the appropriate environmental documentation required for compliance with CEQA and make recommendations to the discretionary body to adopt or deny a negative declaration or environmental impact report, consistent with State and local law.

- D. Administration. The Director shall be responsible for:
1. Preparing and processing all environmental documents necessary to comply with CEQA, the guidelines of the California State Resources Agency as authorized under the Public Resources Code Section 21083, and such additional provisions as may be adopted by the City of Huntington Beach; and
 2. Contracting for private, professional consultation for preparation of environmental impact reports.
- E. Environmental Determination. Prior to any project approval, the discretionary body shall first act upon the negative declaration or the environmental impact report (EIR). The discretionary body acting on the project may adopt the negative declaration or may reject it and require an environmental impact report. The discretionary body may certify the environmental impact report or reject it, if deemed incomplete.
- F. Mitigation Measures. Any feasible change or alteration to the project which avoids or substantially lessens the significant environmental impacts identified in the negative declaration or final EIR shall be incorporated as a condition of approval imposed on the project. The condition of approval shall also describe the time period and the manner in which the mitigation measure must be satisfied.
- G. Monitoring and Reporting Program. The City requires a reporting or monitoring program be prepared to ensure compliance of mitigation measures during project implementation. The project applicant shall be responsible for ensuring completion of the program and shall submit to the City reports indicating the status of compliance. The City may obtain or require an independent analysis of any completed reports submitted as required by a mitigation measure. The cost of the analysis shall be paid by the project applicant.
- Prior to final inspection the monitoring program report shall be completed and accepted by the City. A separate report may be required for each phase of a project constructed in phases.
- H. Appeal. Any decision of the committee may be appealed to the discretionary body which has original jurisdiction over approval of the project as provided in this code. The appeal shall be heard prior to the discretionary body's action on the project.

240.06 Fees and Deposits

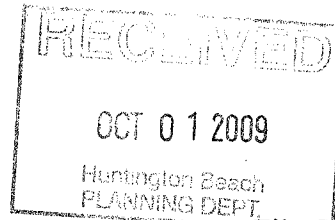
All persons submitting applications for any permits, certificates, development agreements, map approvals, or zoning map or text amendments, or any other approvals as required by this ordinance code, or filing appeals shall pay all fees and/or deposits as provided by the City Council's resolution or resolutions establishing applicable fees and charges.

DEPARTMENT OF TRANSPORTATION

District 12
3337 Michelson Drive, Suite 380
Irvine, CA 92612-8894
Tel: (949) 724-2267
Fax: (949) 724-2592



*Flex your power!
Be energy efficient!*



September 25, 2009

Ms. Jennifer Villaseñor
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

File: IGR/CEQA
SCH #: 2009091043
Log #: 2350
SR-1

Subject: "The Ridge" 22-unit Planned Unit Development

Dear Ms. Villaseñor:

Thank you for the opportunity to review and comment on the **Draft Mitigated Negative Declaration for "The Ridge" 22-unit Planned Unit Development project**. The proposed project involves a request to amend the land use and zoning designations on an existing approximately 5-acre parcel for the subdivision and development of a 22-unit single-family planned unit development (PUD) with a 5,776 square foot common open space area. The project site is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue in the City of Huntington Beach.

The California Department of Transportation, District 12 is a commenting agency on this project, and has no comment at this time.

Please continue to keep us informed of this project and any future developments which could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Zhongping (John) Xu at (949) 724-2338.

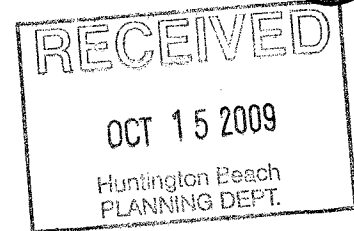
Sincerely,

CHRISTOPHER HERRE
Branch Chief, Local Development/Intergovernmental Review

c: Terry Roberts, Office of Planning and Research

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



October 14, 2009

Jennifer Villaseñor, Associate Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: Mitigated Negative Declaration/Environmental Assessment No. 2008-016
"The Ridge" 22-unit Planned Unit Development

Dear Ms. Villaseñor:

Coastal Commission staff received the above referenced document on September 15, 2009. The City is in the process of soliciting comments from interested parties on Mitigated Negative Declaration (MND)/Environmental Assessment (EA) No. 2008-016 prepared for a land use designation and zone change and residential development of the subject site. The subject site is an approximately 5 acre site located at the southeast corner Bolsa Chica Street and Los Patos Avenue, in the City of Huntington Beach. In the City's certified Local Coastal Program (LCP) the site is currently land use designated Open Space - Parks and Recreation (OS-PR) and zoned Residential Agriculture - Coastal Zone Overlay (RA-CZ). The MND/EA contemplates changing the land use designation to Residential Low Density - 7 units/acre (RL - 7) and the zoning to Residential Low Density - Coastal Zone (RL - CZ) in order to accommodate a 22 unit planned residential development. Thank you for forwarding the document for Coastal Commission staff review. Commission staff appreciates the opportunity to comment early in the process. Following are our comments.

As noted in the MND, the land use designation and zone change contemplated for the subject site would need to be approved by the Coastal Commission via a Local Coastal Program amendment. Development of the site with the 22 unit residential development will require approval of a coastal development permit by the City. The subject site is in the appealable area of the coastal zone. Commission staff has concerns with the proposed land use designation and zone change, as described in further detail below. The most significant areas of concern are with the adequacy of the proposed land use designation and zoning to protect: 1) the higher priority Open Space Parks and Recreation use over lesser priority residential use; 2) identified and potentially present sensitive habitats and species adjacent to and in the vicinity of the subject site, and 3) archaeological/cultural resources that may be present on site.

Land Use and Planning

The standard of review for an amendment to the certified Land Use Plan is conformity with and adequacy to carry out the Chapter 3 policies of the Coastal Act. Section 30222 of the Coastal Act places a higher priority on coastal recreational uses than on private residential uses. In addition Coastal Act Section 30223 requires that upland areas necessary to support coastal recreational uses be reserved for such uses, where feasible. Section 30210 of the

ATTACHMENT NO. 4.2

Mitigated Negative Declaration/Environmental Assessment No. 2008-016
"The Ridge" 22-unit Planned Residential Development
Page 2

Coastal Act requires that recreational opportunities be provided for all the people. The contemplated land use designation change from the higher priority Open Space – Parks and Recreation to the lower priority Residential Low Density is not consistent with the Coastal Act policies requiring protection and promotion of public recreational opportunities within the coastal zone.

In addition, it is not clear from the information reviewed, but it appears that the contemplated residential development may be a private development with private streets. The City's certified Land Use Plan includes the following policy:

C 2.4.7

The streets of new residential subdivisions between the sea and the first public road shall be constructed and maintained as open to the general public for vehicular, bicycle, and pedestrian access. General public parking shall be provided on all streets throughout the entire subdivision. Private entrance gates and private streets shall be prohibited. All public entry controls (e.g. gates, gate/guard houses, guards, signage, etc.) and restrictions on use by the general public (e.g. preferential parking districts, resident-only parking periods/permits, etc.) associated with any streets or parking areas shall be prohibited.

The subject site is located between the sea (Bolsa Chica wetlands) and the first public road (Los Patos Avenue). Thus, if the subject residential development is contemplated as a private community with private streets that would be inconsistent with the above cited policy of the certified LUP.

The overall project includes improvement of a 30 foot wide property currently owned by the City with a six foot wide meandering trail and landscaping. As this 30 foot wide property is already in public ownership, these improvements will not adequately offset the contemplated loss of five acres currently designated as Open Space Parks and Recreation.

The MND/EA also refers to Zoning Text Amendment No. 09-008 "to amend Chapter 210.12 – PUD [Planned Unit Development] Supplemental Standards and Provisions to allow flexibility in accommodating the total number of required parking spaces within a PUD." However, the text of the Zoning Text Amendment was not included in the information reviewed. Chapter 210.10 is part of the City's certified LCP Implementation Plan and as such changes to it would require approval of an LCP amendment. Without having the text to review, no comments are given, but we may have comments once the text is available for review.

Biological Resources

The MND/EA recognizes the Environmentally Sensitive Habitat Area (ESHA) located on the adjacent site to the east (known as the Shea or Parkside property). In it's action on the LUP amendment to incorporate that site into the City's certified Land Use Plan, the Coastal Commission found that the grove of trees commonly referred to as the Eucalyptus grove

ATTACHMENT NO. 4.3

constitute ESHA due to the important ecosystem functions the grove provides to a suite of raptors. In approving that LUP amendment (LUPA 1-06 Parkside), the Commission required a buffer area to ensure the biological integrity and preservation of the ESHA. In its action, the Commission approved a variable width buffer. The minimum buffer width to ensure protection of the ESHA approved by the Commission for the Shea site ranged from 297 to 650 feet from the ESHA. The MND/EA states that the subject site property boundary is 140 feet from the closest point of the ESHA, the nearest residential development is 160 feet from the ESHA, and the furthest residential development is 250 feet from the ESHA. This raises concerns with regard to whether an appropriate buffer/setback area will be accommodated at the subject site.

The contemplated project includes: "The eastern portion of the site adjacent to the Shea property would be raised three to nine feet over existing elevations requiring approximately 4,200 cubic yards of cut and 10,700 cubic yards of fill. Approximately 6,500 cubic yards of fill would be needed." This earth movement adjacent to the Shea property raises concerns with regard to protection of the ESHA on the site.

The MND/EA should also address whether the land use designation/zone change and contemplated residential development would result in allowing development where it would necessitate the need for fuel modification vegetation clearance within the Open Space Conservation area on the adjacent Shea property site. This too raises concerns with regard to protection of the ESHA on that site. Development should be set back far enough from the Open Space Conservation area to avoid the need for future vegetation clearance within the ESHA and ESHA buffer.

The MND/EA finds that "given the 23 acres that have been designated as open space for raptor foraging habitat on the Shea property and the distance of the proposed residential lots from the ESHA coupled with the topographical separation [the subject property is on a bluff approximately 40 feet above the base of the trees in the ESHA], the impacts to the ESHA are less than significant." However, even with the preservation of 23 acres of the Shea site as Open Space Conservation area, over 26 acres that had been available for raptor foraging will be lost when the residential portion of the Shea project is implemented. The area reserved for raptor foraging on the Shea property only mitigates for the development anticipated on that site. Any impacts that occur as part of the planned "Ridge" project need to be addressed in that project without reliance on the Shea project. Also, the MND/EA does not cite a Biological Assessment upon which the conclusion that impacts to the ESHA will be less than significant is based. A Biological Assessment addressing the subject site and surrounding area must be prepared, and should include discussion of appropriate setback/buffer areas.

The Biological Assessment should also consider whether any biological resources exist on the subject site. The Biological Assessment should consider impacts of the land use designation change/zone change and related contemplated development will have on, in addition to the subject site, the eucalyptus grove ESHA on the Shea site, the wetlands at the Shea site, the habitat open space on the Brightwater site, and on the nearby Bolsa Chica Restoration area. It is also not clear how the topographical separation protects the

eucalyptus ESHA from impacts of the contemplated residential development when the ESHA habitat serves raptors which fly and for whom the topographic separation would not seem to be significant. This too should be addressed in the Biological Assessment. The Assessment should be prepared prior to decisions on appropriate land use at the site. In any case, such a Biological Assessment will be required at the time an LCP amendment is submitted for Commission review.

Cultural Resources

The subject site is within an area of known archaeological significance. The MND/EA states that an archaeological report was prepared by Scientific Resource Surveys (SRS), Inc. in May 2009. The May 2009 Archaeological Report includes, according to the MND/EA, discussion of the previous investigations of the archeological site. The May 2009 Archaeological Report prepared by SRS should be subject to peer review as well as review by appropriate Native American groups that are likely descendants of Native Americans that previously occupied this area. The resulting comments should be considered in the entitlement process. The land use designation, zoning, and any future development of the site should take these comments under consideration and make modifications accordingly.

The MND/EA, in the second mitigation measure of the MND (CR-2), states that if pre-historic human remains are discovered the Most Likely Descendent shall inspect the site and "may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials." The option of preservation in place should be an option available to the Most Likely Descendent in the event prehistoric human remains are encountered. Furthermore, preservation in place should also be considered if any significant cultural resources are discovered at the site.

Again thank you for the opportunity to comment on the proposed pre-zoning and Mitigated Negative Declaration. Please contact me if you have any questions regarding these comments.

Sincerely,



Meg Vaughn
Staff Analyst

cc: Mary Beth Broeren, Planning Manager

Ridge MND 10.14.09 mv

ATTACHMENT NO. 4.5

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CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

October 9, 2009

City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, California 92648

Attention: Ms. Jennifer Villasenor, Associate Planner

Subject: ENVIRONMENTAL ASSESSMENT NO. 08-016 (Draft Mitigated
Negative Declaration - The Ridge 22-unit Planned Unit
Development)

Dear Ms. Villasenor:

The full Environmental Board has not yet reviewed this EA. Comments by the 3 members assigned reflect very divergent opinions about this Environmental Assessment and the uncertain financial capacity of the developer to perform.

The Board's ad hoc committee offers the following comments and recommendations for your consideration.

A) CHANGE IN STATUS FROM RA-CZ TO RL-CZ

Hearthside Homes is requesting that the project site currently zoned Residential Agriculture - Coastal Zone (RA-CZ) with a General Plan Land Use of designation of Open Space - Parks (OS-P) be amended to Residential Low Density - Coastal Zone (RL-CZ) with a General Plan Land Use designation of Residential Low Density - 7 units/acre (RL-7). They are also requesting a variance for some of the proposed parcels that not meet the minimum standards for RL-7. Additionally, Hearthside is proposing a parking arrangement that is not allowed under Chapter 231 of the HB Zoning and Subdivision Ordinance. An amendment to the Zoning Text is being proposed to allow this parking design.

Ordinarily, the Environmental Board would be opposed to all of these changes. However, since Hearthside proposes to make this HB's first "green" residential project (see comment B), the Board sees this as a conditionally adequate mitigation or exchange for some of these variances.

B) INCLUSION OF "GREEN" FEATURES IN PROJECT

ATTACHMENT NO. 4.6

The project already proposes to include the following "green" features and we suggest:

- Integration of solar panels into the roofing of the homes
- Utilization of permeable pavers for sections of the street and driveways
- Energy Star rated homes
- Draught-tolerant landscaping
- Storm drain system designed to capture low-volume flows and allow them to percolate into the ground

The ad hoc committee is pleased that Hearthside plans to make this a "green" residential project. It is recommended that "green" features represented by LEED be mandated as part of the project in exchange for the changes and variances requested. **Furthermore, this project should be used as an example for future proposals that seek variances, zoning changes, and/or code text amendments.** To verify that these plans are in fact accomplished with sustainable criteria is essential. Otherwise the trade off is but a failed exchange. We recommend that the project meets specified criteria under LEED Gold or Platinum and be 5% greater than the State Energy Requirements required by Title 24. We are also concerned that sufficient space be provided in the kitchens to store recyclables and to assure space for trash, recycle, and green waste carts. Tandem parking makes this problematic.

Upon successfully attaining LEED Gold or Platinum status, Hearthside should be recognized for this achievement.

C) FISCAL CONTINGENCIES

Given the uncertain fiscal capability of the developer, the City could protect itself and nearby residents from the consequences of developer bankruptcy. These issues are currently beyond our scope, but others within the City should be consulted so that we avoid Beach City problems.

We appreciate the opportunity of reviewing this project. Please contact us with any questions or concerns.

Very truly yours,
HB ENVIRONMENTAL BOARD

/s/ Bob Smith, Ph.D.

Bob Smith, Ph.D., Chairman

Cc: Huntington Beach City Council

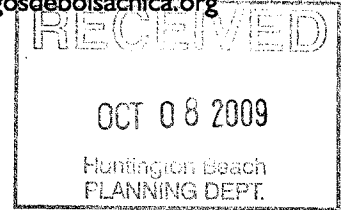
ATTACHMENT NO. 4.7



Amigos de Bolsa Chica

P.O. Box 1563 Huntington Beach, CA 92647

Phone / Fax 714 840 1575 info@amigosdebolsachica.org www.amigosdebolsachica.org



October 6, 2009

Jennifer Villaseñor, Associate Planner
City of Huntington Beach
Planning Department
2000 Main St
Huntington Beach, CA 90048

Subject: Comments on Draft Mitigated Negative Declaration 08-016 (The Ridge)

Thank you for the opportunity of submitting comments regarding the above DMND.

We are deeply concerned that the development of a parcel that is within an area that is known for its critical biological importance be passed off with a mere negative declaration.

We are primarily concerned that the eucalyptus ESHA immediately east of the development is not afforded a sufficient buffer. As shown in the developer's Tentative Tract Map, the distance from the ESHA to the nearest Ridge property line is 150 feet. Based on advise from Coastal Commission technical staff, setbacks on the east side of the ESHA, on the Shea development, were set at a minimum of 270 feet. The developer of the Ridge project claims that because the residences are on pads that are about 40 feet higher than the base of the ESHA, a "topological separation" affords added buffer. It seems to us that if houses are near eye level with roosting birds (raptors, in this case), it would cause greater negative impact on the birds than if the houses were below the bird's lines of sight. Such a critical question can only be answered by a thorough expert review of the developer's claims that would come from a full environmental impact statement.

In addition, we are astonished that the developer is claiming streets and driveways as credit for open space. Open space requirements are intended to afford residents areas "accessible for outdoor living, recreation, pedestrian access or landscaping" (HB Zoning Code Chapter 302), something that streets and driveways hardly provide.

In summary, the developer of The Ridge claims mitigation measures to protect an ESHA that can only be validated by a full investigation through an Environmental Impact Statement.

Thank you for your consideration.

Sincerely,

David Carlberg, President

ATTACHMENT NO. 4.8

Villasenor, Jennifer

From: Elizabeth Kenneday [kenneday@csulb.edu]
Sent: Wednesday, September 30, 2009 7:56 AM
To: Villasenor, Jennifer
Subject: Plans to build an additional 22 houses on open space at Bolsa Chica

I wish to comment on these plans very simply. Please do not allow further deterioration of this important ecological and archaeological site by Hearthside Homes. There is very little open land left, and the greed of the developers should not be allowed to destroy what little is left. There are so many existing homes available in the area that it is criminal to develop this small open parcel that is left.

Elizabeth Kenneday-Corathers, PhD.

Villasenor, Jennifer

From: anna friesen [annafriesen@mac.com]
Sent: Wednesday, September 30, 2009 10:27 AM
To: Villasenor, Jennifer
Subject: Los Patos Parkside

I read with dismay that Hearthside wants to do away with the park designation and build their "Bolsa Chica Ridge" project--22 residential units--next to the Environmentally Sensitive Habitat Area and next to the Cogged Stone site.

It is time to stop the gradual erosion of open space in Huntington Beach. Open space in Huntington Beach is an asset as valuable as clean air and clean water, and is associated with the maintenance of both. Open space is an important component of what makes our city a desirable place to live and to visit. Open space is what attracted us to live here 22 years ago, and is what keeps us here.

Anna Friesen

9181 Willhelm Circle
Huntington Beach CA
92646

10/22/2009

ATTACHMENT NO. 4.10

Villasenor, Jennifer

From: ed777chloe@aol.com
Sent: Wednesday, September 30, 2009 11:40 AM
To: Villasenor, Jennifer
Subject: Hearthside Homes Plans

A vehement NO on ANY construction by Hearthside Homes. NO NO NO NO!

Chloe & Ed Mieczkowski
19556 Grandview Circle
Huntington Beach 92648-5571

10/22/2009

ATTACHMENT NO. 4.11

Villasenor, Jennifer

From: Chasse, Isabelle M [Isabelle.Chasse@uhc.com]
Sent: Thursday, October 01, 2009 7:39 AM
To: Villasenor, Jennifer
Subject: Cogged Stone Site and building

Hello. I am a resident of HB, I live on Bolsa Chica St and Los Patos. The last thing we need is to have more houses built on that small bit of road that runs from Los Patos down the where the Brightwater neighborhood beings. There are habitats already there - rabbits and birds and ground squirrels. There is a view of nature that is going to be destroyed in many ways if building is done there. Young boys have a place to ride their boards and bikes, a place they have developed over the years, a place that is safe and free, healthy activity that you just can't find anywhere else in this neighborhood.

I can't imagine more noise, more cars, more pollution. Where will the sewage go? Where will trash go? Is there no place that can remain wild? Must we build simply because there is an open space that can generate huge amounts of cash and tax revenue but that will be enjoyable for only the few who can afford to live there and no one else?

The Brightwater development isn't even finished yet and homes are not selling as well as was expected. Why build more homes when some are sitting empty already? Besides that, the Cogged Stone Site is right next to where the building will be and I have no doubts at all that the site extends farther that we anticipate it does. It is a site that is important to the Smithsonian Institute, too, it's the only place of its kind on this continent! That should be more precious to Huntington Beach than the revenue that would be generated.

Please consider not allowing building there. Once it's done, it can never be unbuilt and the ruin will be a shame and a blight on what is now natural space that is contributing to the green of our planet. Isn't it better for all concerned to keep it that way?

Respectfully,

Isabelle M. Chasse
Sr. Underwriting Coordinator
Cypress CA 714-226-4829

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ATTACHMENT NO. 4.12

10/22/2009

Villasenor, Jennifer

From: lizwhyte1@msn.com
Sent: Thursday, October 01, 2009 8:48 AM
To: Villasenor, Jennifer
Subject: 22 more homes

Re Hearthside:

I am sure my comment will not count for anything but I am going to leave it anyway.

I am outraged that we are considering carving up more wetland space for Hearthside. They cannot sell the homes they have already built. Meanwhile all the wildlife has to roam our neighborhood looking for space to live in. We have squirrels swimming in our pool and digging up our gardens and rats eating our vegetables. I meet coyotes on my morning walk! Don't you think the environment has taken enough punishment, not to mention the ruination of an extremely important archaeological site.

Liz Whyte

10/22/2009

ATTACHMENT NO. 4.13

SANDRA GENIS, PLANNING RESOURCES

1586 MYRTLEWOOD

COSTA MESA, CA. 92626

PHONE/FAX (714) 754-0814

October 9, 2009

Jennifer Villasenor
City of Huntington Beach
Huntington Beach City Hall
2000 Main Street
Huntington Beach, CA 92648

Subject: MND for The Ridge (SCH # 2009091043)

Via hand delivery and e-mail

Dear Ms. Villasenor,

Thank you for the opportunity to comment upon the Mitigated Negative Declaration for The Ridge project (MND No. 08-016; SCH # 2009091043) located on approximately 5 acres of property in the City of Huntington Beach, Orange County. These comments are submitted on behalf of the Bolsa Chica Land Trust and myself.

The applicant proposed to construct twenty-two dwelling units, roadways, drainage improvements, private open space amenities, and related infrastructure on the project site. The project would be developed as a Planned Unit Development. In order for development to proceed the following discretionary approvals would be needed:

- General Plan Amendment, changing the site's land use designation from Open Space-Park(OS-P) to Residential Low Density (RL)
- Local Coastal Program Land Use Plan Amendment, changing the site's LUP land use designation from Open Space-Park (OS-P) to Residential Low Density (RL)
- Zoning Amendment, changing the site's zoning designation from Residential Agriculture-Coastal Zone Overlay (RA-CZ) to Residential Low Density-Coastal Zone Overlay (RL-CZ)
- Amendment to Chapter 210.12 of the Zoning Code to allow greater flexibility in provision of required parking, including provision for tandem parking
- Tentative Tract Map
- Coastal Development Permit
- Conditional Use Permit

The site is highly sensitive as part of the Bolsa Chica ecosystem, including but not limited to the Bolsa Chica Ecological Reserve. Resources in the immediate area include an environmentally sensitive habitat area to the east and important cultural resources. Cultural resources include Ca-Ora-83, which is listed by the Native American Heritage Commission registry of sacred sites and was recently determined to be eligible for listing on the National Register of Historic Places. The portion of Ca-Ora-83 on the Brightwater property, to the west, was found to contain human

remains, and was likely a prehistoric cemetery. In an April 8, 2008 letter to the Coastal Commission, Larry Myers the Executive Director of the Native American Heritage Commission states the following:

The NAHC has not received a report clearly showing the dates, locations and details of burial discoveries. At this point based on information available and the large number of burials recovered and associated items, *it appears that the whole area may be a burial ground.* [emphasis added]

The Process

In accordance with Section 21080(d) of the California Environmental Quality Act:

If there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment, an environmental impact report shall be prepared.

Section 21080(e) defines "substantial evidence" as follows:

- (1) For the purposes of this section and this division, substantial evidence includes fact, a reasonable assumption predicated upon fact, or [emphasis added] expert opinion supported by fact.
- (2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment.

The courts have held that "relevant personal observations by area residents" may be properly considered substantial evidence. (*Pocket Protectors, v. City of Sacramento* (2004) 124 Cal. App. 4th 903; *Ocean View Estates Homeowners Assn, Inc. v. Montecito Water Dist*, (2004) 116 Cal.App.4th 402; *Arviv Enterprises, Inc. v. South Valley Area Planning Com.*, (2002)101 Cal.App.4th 1347; *Mejia v. City of Los Angeles* (2005) 130 Cal. App. 4th 322.)

As stated in *Citizens for Responsible & Open Government v. City of Grand Terrace*, (2008) 160 Cal. App. 4th 1323:

CEQA provides that generally the governmental agency must prepare an EIR on any project that may have a significant impact on the environment. (§§ 21080, subd. (d), 21100, subd. (a), 21151, subd. (a); *Pala Band of Mission Indians v. County of San Diego* (1998) 68 Cal.App.4th 556, 570–571 [80 Cal. Rptr. 2d 294], quoting *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1601–1602 [35 Cal. Rptr. 2d 470].) Whenever there is substantial evidence supporting a fair argument that a proposed project may have a significant effect on the environment, an EIR normally is required. (§ 21080, subd. (c)(1); Guidelines, § 15070, subd. (a); *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1399 [43 Cal. Rptr. 2d 170]; *Pocket Protectors v. City of*

Sacramento (2004) 124 Cal.App.4th 903, 927 [21 Cal. Rptr. 3d 791] (*Pocket Protectors*).) "The fair argument standard is a 'low threshold' test for requiring the preparation of an EIR..."

A mitigated negative declaration is one in which "(1) the proposed conditions 'avoid the effects or mitigate the effects to a point where *clearly* no significant effect on the environment would occur, *and* (2) there is *no substantial evidence* in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.' (§ 21064.5, italics added.)" (*Architectural Heritage Assn. v. County of Monterey, supra*, at p. 1119; see also *Citizens' Com. to Save Our Village v. City of Claremont* (1995) 37 Cal.App.4th 1157, 1167 [44 Cal. Rptr. 2d 288].)

As stated in *Pocket Protectors, v. City of Sacramento* (2004) 124 Cal. App. 4th 903:

Unlike the situation where an EIR has been prepared, neither the lead agency nor a court may "weigh" conflicting substantial evidence to determine whether an EIR must be prepared in the first instance. Guidelines section 15064, subdivision (f)(1) provides in pertinent part: "if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect. (*No Oil*, *supra*,] 13 Cal.3d 68)." Thus, as *Claremont* itself recognized, "Consideration is not to be given contrary evidence supporting the preparation of a negative declaration. (*City of Carmel-by-the Sea v. Board of Supervisors* (1986) 183 Cal. App. 3d 229, 244-245 [227 Cal. Rptr. 899]; *Friends of "B" Street v. City of Hayward* (1980) 106 Cal. App. 3d 988 [165 Cal. Rptr. 514]." (*Claremont, supra*, 37 Cal.App.4th at p. 1168.)

It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project. (See *No Oil, supra*, 13 Cal.3d at p. 85.)

Adoption of a Mitigated Negative Declaration is inappropriate in this case inasmuch as the clear potential for significant adverse impacts on the environment exists. These include but are not limited to impacts on biological resources, cultural resources, land use, noise, air quality, coastal access, hydrology, and aesthetics.

Potential Impacts

As noted above, potential impacts may occur on biological resources, cultural resources, land use, noise, air quality, coastal access, hydrology, and aesthetics. These are described in more detail as follows:

Biological Resources

As described in the City of Huntington Beach General Plan Coastal Element, (pp. C.IV-77 and 78), important biological resources exist on the Parkside site, which abuts the Ridge property on the east:

There are existing and previously delineated wetlands areas that have been filled without authorization and are capable of being restored. Those areas as well as their buffer areas are designated Open Space-Conservation and uses allowed within these areas are limited.

In addition, on the site's western boundary, at the base of the bluff, is a line of eucalyptus trees that continues offsite to the west. These trees are used by raptors for nesting, roosting, and as a base from which to forage. The trees within this "eucalyptus grove" within or adjacent to the subject site's western boundary constitute an environmentally sensitive habitat area (ESHA) due to the important ecosystem functions they provide to a suite of raptor species. The Eucalyptus trees along the southern edge of the Bolsa Chica mesa are used for perching, roosting, or nesting by at least 12 of the 17 species of raptors that are known to occur at Bolsa Chica. Although it is known as the "eucalyptus grove", it also includes several palm trees and pine trees that are also used by raptors and herons. None of the trees are part of a native plant community. Nevertheless, this eucalyptus grove has been recognized as ESHA by multiple agencies since the late 1970's (USFWS, 1979; CDFG 1982, 1985) not because it is part of a native ecosystem, or because the trees in and of themselves warrant protection, but because of the important ecosystem functions it provides. Some of the raptors known to use the grove include the white tailed kite, sharpshinned hawk, Cooper's hawk, and osprey. Many of these species are dependent on both the Bolsa Chica wetlands and the nearby upland areas for their food. These Eucalyptus trees were recognized as ESHA by the Coastal Commission prior to its 2006 certification of this section of this LCP, most recently in the context of the Coastal Commission's approval of the adjacent Brightwater development (coastal development permit 5-05-020).

The Eucalyptus grove in the northwest corner of the site, although separated from the rest of the trees by a gap of about 650 feet, provides the same types of ecological functions as do the rest of the trees bordering the mesa. At least ten species of raptors have been observed in this grove, and Cooper's hawks, a California Species of Special Concern, nested there in 2005 and 2006. Due to the important ecosystem functions of providing perching, roosting and nesting opportunities for a variety of raptors these trees also constitute ESHA.

Additional information regarding the Eucalyptus trees is provided in a July 26, 2006 Coastal Commission staff report on what is known as the Parkside Project (p.31, Agenda Item Tu 8c, August 6, 2006):

The Eucalyptus ESHA in the northwest corner is known to have supported a nesting pair of white tailed kites in the spring of 2005. In addition to the nesting kites, this area of the Eucalyptus ESHA provides similar roosting and perching opportunities for the suite of raptors.

The need for adequate buffers was then discussed (July 26, 2006 Coastal Commission staff report pp.31-32, Agenda Item Tu 8c, August 6, 2006):

In order to assure the ESHA is protected and remains viable, in addition to precluding nonresource dependent development within the ESHA, a buffer zone around the ESHA must be established. A buffer zone would require that development adjacent to the ESHA be set back an appropriate distance from the ESHA. The setback is intended to move the development far enough away from the ESHA so as to reduce any impacts that may otherwise accrue from the development upon the ESHA and that would significantly degrade the ESHA or be incompatible with its continuance. The distance between the ESHA and development, the buffer zone, must be wide enough to assure that the development would not degrade the ESHA and also would be compatible with the continuance of the ESHA.

For purposes of establishing protective buffers, the eucalyptus grove ESHA boundary should be considered to fall along the drip line of the outermost trees of the grove (see exhibit). The specific area of an appropriate buffer is more difficult to quantify.

There is, to some degree, a subjective approximation element in assigning dimensions to protective habitat buffers or development setbacks. For example, it probably would not be possible to distinguish the different biological effects of a 100-foot buffer compared to a 110-foot buffer or those of a 300-foot-buffer from a 100-meter (328-foot) buffer. We tend to choose round numbers in whatever units we are using. However, the difference between a 100-foot buffer and a 100-meter buffer would provide discernable benefits to wildlife. Commenting on a proposed development that borders the eucalyptus grove ESHA on its western side (coastal development permit application number 5-05-020, Brightwater), wildlife agencies recommended a buffer width of 100 meters. However, the applicant's consultant's for that project recommended a 100 foot buffer. These large differences reflect differing opinions concerning the sensitivity of raptor species to disturbance and differences in opinion concerning the acceptable risk of disturbance impacts to raptors, especially raptors that have the potential for nesting at Bolsa Chica.

In an urban environment development setbacks are usually inadequate to protect all individuals of wildlife species of concern from significant impacts. In an urban setting a buffer is usually no more than one to several hundred meters, and usually less, whereas in a natural setting, a buffer of two kilometers has been found to be significantly more protective. For example, Findlay and Houlihan (1997) found a

negative correlation between species richness in wetlands and the density of roads on land up to 2000 meters from the wetland and concluded that narrow buffer zones were unlikely to protect biodiversity.

Development must be separated from ESHAs by buffers in order to prevent impacts that would significantly degrade those areas. Again, with regard to the Brightwater development, buffer recommendations from the same ESHA included a 150-meter buffer recommendation by Dr. Findlay, of the University of Ottawa. CDFG and USFWS previously recommended the establishment of a 100-meter buffer on the Bolsa Chica Mesa in the 1980's. The Coastal Commission staff ecologist recommended a minimum 100-meter buffer around the eucalyptus ESHA. In further studying the appropriate buffer for the Eucalyptus ESHA, Dr. Dixon (staff ecologist) stated:

The buffer around the Eucalyptus tree ESHA is particularly important if those trees are to continue to function as nesting habitat for a variety of raptors. The California Department of Fish and Game and the U.S. Fish and Wildlife Service recommended a 100-m buffer. A literature review found that raptor biologists recommended buffers for various species of nesting raptors from 200m to 1500 m in width, with the exception of 50-m buffers from visual disturbance for kestrels and prairie falcons ... In an independent review concerning a prior development proposal at Bolsa Chica with 100-foot (30-m) buffers, raptor expert Brian Walton opined that developers "... often rely on buffers that I find largely ineffective for reducing raptor fright/flight response." [and] "[t]hey describe unusual tolerance, habituated individuals or exceptions to normal raptor behavior rather than the more common behavior of wild birds."

The 100 meter buffer recommended by USFWS (1979), CDFG (1982), and by staff is necessary to prevent disturbance to raptors that utilize the eucalyptus ESHA, and, based on raptor expert Peter Bloom's estimates of foraging distances, is also large enough to provide significant foraging opportunities close to the nest. This is particularly important because distant foraging increases the risk of nest predation. White-tailed kites, a fully protected species in California, have frequently nested at Bolsa Chica, and are generally considered relatively sensitive to human disturbance. Therefore, buffers that are adequate to protect nesting white-tailed kites should be adequate for most of the other species that are likely to nest in the eucalyptus ESHA. The following minimum spatial buffers have been recently recommended for nesting white-tailed kites: 100m (Bloom, 2002); 100m (Holmgren, 6.7.2002); 50m (J. Dunk (raptor researcher) in person communication to M. Holmgren, 2002); 46-61m (with "low-frequency and non-disruptive activities"; Froke, 2002). These estimates suggest that a 100-m buffer is probably adequate, but not overly conservative.

In addition, grading was to be prohibited within 500 feet of any active nest. (April 1, 2005 Coastal Commission staff report pp.9,12,26,28,68 Agenda Item Th 7a, April 14, 2005).

According to EA No. 2008-016 (p. 30), the proposed project would extend to within 140 feet of the ESHA with the nearest residential lot 160 feet from the ESHA. Construction in this area would involve heavy machinery for grading. The proposed buffer, under 50 meters from the ESHA, less than half the 100 meters considered "probably adequate, but not overly conservative" by Coastal Commission staff, would fall far short of the buffer needed for adequate protection of the ESHA. Thus, it is likely that disturbance of raptors utilizing, or attempting to utilize, the Eucalyptus ESHA would sustain adverse impacts.

Exacerbating the situation, fill on the site will result in a situation with "the tops of the trees ..approximately at the proposed pad elevation" (EA p. 30). Incredibly, the EA then notes that this will increase "topographical separation" (EA p. 30) As noted by Coastal Commission staff ecologist, John Dixon (April 1, 2005 Coastal Commission staff report pp.8,12 Agenda Item Th 7a, April 14, 2005; September 24, 2004 Coastal Commission staff report pp. 41,55, Agenda Item W 12g, October 13, 2004; July 29, 2004 Coastal Commission staff report pp. 36,38 Agenda Item Th 23e, August 12, 2004) raptors nest in the tops of the trees. Raptors tend to seek out high points, hence the use of the trees for roosting and nesting in the first place. Thus, topographical separation will *decrease*, not increase. Nearby activities at, and possibly even above, the level of potential nesting sites would be highly disturbing. Thus construction on elevated pads will *increase*, not decrease, impacts on the resource.

EA No. 2008-016 indicates that drainage will be directed to a pipe in Bolsa Chica Street and ultimately into the Bolsa Chica Wetlands after treatment (p.21). The EA does not provide information as to what the treatment will entail or its effectiveness in removing urban pollutants, including such materials as petroleum residues, tire residues, landscape chemicals, and heavy metals. Unless treatment is one hundred percent effective in removing such materials, adverse impacts on the wetlands could occur. In addition, the proposal would redirect drainage currently flowing to the wetlands on the Parkside site, potentially resulting in impacts on those wetlands.

Conditions were imposed on both the Parkside and Brightwater projects to reduce significant impacts due to propagation of additional introduced, invasive plant species (November 1, 2007 Coastal Commission staff report pp.10,41,45,76 Agenda Item W 16a, November 14, 2007; September 22, 2005 Coastal Commission staff report pp. 4,30,31,106, Agenda Item Th 11a, October 13, 2005). EA No. 2008-016 fails to mitigate or even identify this potentially significant impact. Absent measures which would ensure that invasive species are not planted on the site, it cannot be concluded that no impact would occur.

Conditions were imposed on both the Parkside and Brightwater projects to reduce significant impacts due to predation by domestic pets including cats and dogs (November 1, 2007 Coastal Commission staff report pp.11,41,45, Agenda Item W 16a, November 14, 2007; September 22, 2005 Coastal Commission staff report pp.20,27,28,29,34, Agenda Item Th 11a, October 13, 2005). EA No. 2008-016 fails to mitigate or even identify this potentially significant impact. Absent measures which would ensure that domestic pets are fully controlled at all times, it cannot be concluded that no impact would occur.

Potential impacts would occur due to increased light, glare and noise, with potential impacts on sensitive species. Even if lighting were directed downward, this could result in lighting directed down toward ESHA to the east.

All of these significant impacts on biological resources must be examined in an environmental impact report.

Air Quality

EA No. 2008-016 provides information regarding air pollutant emissions during construction and concludes that no impact will occur, based on the project's contribution to regional emissions (EA p. 24). However, the project fails to take into consideration localized effects.

The South Coast Air Quality Management District (SCAQMD) has developed methodology for determining the localized significance of air emissions. For construction projects of approximately 5 acres in the North Coastal Orange County Source Receptor Area, SCAQMD has developed the following localized significance thresholds:

Localized PM₁₀ Emissions Thresholds for Construction
North Coastal Orange County (SRA 18)

Receptor distance (meters) from site boundary	25	50	100	200	500
LST (lb/day)	14	44	57	85	167

Source: SCAQMD, Localized Significance Threshold Methodology, Table C-4, PM₁₀ Emission Thresholds for Construction

As noted in EA No. 2008-016(p. 24), the proposed project is anticipated to generate 26.26 pounds per day of PM₁₀, i.e. fine particulates less than 10 microns in diameter, thus exceeding the localized significance threshold for source receptors within twenty-five meters (approximately eighty-two feet) of the site boundary. This would affect nearby residents, natural habitat, and the thirty-foot-wide pathway at the northerly site boundary which is utilized by large numbers of school children daily on their way to school.

Construction emissions will result in a significant localized air quality impact which must be examined in an environmental impact report.

Noise

Development of the site will result in increased noise during construction and upon occupation of the site. Noise from concrete mixers (85 dBA at 50 feet), generators (81 dBA at 50 feet) and other construction equipment (74 to 98 dBA at 50 feet) would be well above ambient noise levels, affecting nearby residents as well as wildlife.

Construction haul routes are not identified in the EA. Noise would also be generated along those routes, with fully loaded trucks typically generating noise levels of 88dBA at fifty feet. At least a portion of any haul route would be along residential streets, creating noise levels well in excess of ambient noise levels in residential areas.

EA No. 2008-016 indicates that the applicant is "proposing to utilize noise mufflers on all heavy equipment" (p.33). However, EA No. 2008-016 fails to reveal how much the proposed mufflers would reduce the clearly significant noise impact nor ensure that what the applicant "is proposing" would actually be implemented.

Construction noise is a significant impact which must be examined in an environmental impact report.

Aesthetics

Views of the site will sustain significant adverse impacts due to implementation of the proposed project. Open space would be replaced by housing and night time views would include additional outdoor lighting. Views across the site from existing public streets and paths toward the Reserve and other open space would be lost.

Impacts would be greatest from the existing public pathway in the thirty-foot-wide city parcel extending along the northerly boundary of the site. Numerous people currently utilize the pathway for recreational purposes and as a pleasant transportation alternative to riding a bicycle on the street with vehicular traffic. As shown in cross sections in Attachment 2.1 to the EA, a solid wall up to eight feet in height will be constructed, totally blocking any views from the public parcel and creating a tunnel effect similar to that created along Los Patos by the Brightwater development. The public will lose all visual access to coastal resources in this area. No "meandering pathway" or "landscaped buffer" (EA, p. 2) can compensate for this loss.

Aesthetic impacts, particularly loss of views from public areas, must be examined in an environmental impact report.

Hydrology and Water Quality

EA No. 2008-016 indicates that drainage will be directed to a pipe in Bolsa Chica Street and ultimately into the Bolsa Chica Wetlands after treatment (p.21), thereby altering existing drainage patterns. Surface water currently flowing to the wetlands on the Parkside site, would thus be reduced.

The EA indicates that low flows would be retained on-site (p. 21). This would be consistent with California Water Resources Control Board Order No. WQ-2000-11 and Santa Ana Regional Water Quality Control Board Santa Ana Region Order No. R8-2009-0030, NPDES No. CAS618030, which require the retention or treatment of low flows up to an 85th percentile storm event. Low flows from the proposed project would percolate into the ground, although no information is provided regarding subsurface conditions. Future lateral movement of what will become subsurface waters must be considered. Will drainage ultimately travel to

the bluffs, resulting in increased bluff erosion? Bluff erosion is an ongoing process at Bolsa Chica. Recently, plans for a foot-bridge along Warner, west of the project site, had to be revised to respond to the several feet of bluff erosion that had occurred in just the few short years of the planning process for the foot-bridge. Any increase in drainage in bluff areas would thus be potentially significant.

Impacts on drainage must be examined in an environmental impact report.

Land Use

The proposed project would result in the development of approximately five acres of open space land currently designated for open space under the general plan and local coastal program. This is a significant impact, made all the more significant when considered in conjunction with other proposed and recent development in the area, including the Brightwater project, Parkside development, and the Goodell parcel.

The project would eliminate five acres of potential future parks while creating a demand for an additional 0.29 acres (12,415 square feet) of park land, based on a future population of 57 residents (EA p. 15) and a general plan standard of five acres of park land for each one thousand residents (EA p. 41). While the applicant would be required to dedicate land or pay in-lieu park fees, this would not necessarily eliminate potential impacts. In-lieu fees must be utilized to provide park facilities for the project from which they are generated (Government Code Sec. 66477(a)(3)). The Huntington Beach Recreation and Community Service Element does not identify any new locations in the nearby area for future local parks which would be available to serve future residents of the proposed project. The project thus fails to meet general plan goals for park land.

These significant impacts on land use must be examined in an environmental impact report.

Transportation/Access

EA No. 2008-016 identifies potential impacts on parking, circulation and pedestrians during construction, particularly during earth hauling activities (p. 28). The EA then notes that the project would "not impact a large number of surrounding residential uses", implying that some "not large" number of residents would sustain an impact, possibly a significant one. The EA fails to define "not large". Would the dozens of dwelling units taking access to Bolsa Chica Street at Dorado Drive be "not a large number"? What about the seventy-one-unit apartment building on Bolsa Chica Street? In any case, impacts would be significant even if only a couple of homes were affected.

The proposed project would provide a portion of the required parking as tandem spaces. As noted in EA No. 2008-016 (p. 39), "This may...result in more on-street parking spaces being occupied more often". This would then reduce available street parking for guests and other visitors, such as repair people. A dearth of available street parking would potentially spill out onto nearby public streets, resulting in reduced parking available for the general public seeking to access coastal resources. This is a significant impact.

Impacts due to construction and proposed parking configurations must be examined in an environmental impact report.

Cultural resources

The project site contains CA-ORA-86 a site which is often considered in conjunction with CA-ORA-144 and CA-ORA-83. As noted in EA No. 2008, 016 (p. 40), the site has been subject to previous studies. It is extremely disappointing that the EA belittles the significance of on-site archaeological resources, describing the site as disturbed and likely to yield little of value in language reminiscent of environmental documents for the Brightwater site which had also been subject to numerous previous studies. As we now know, CA-ORA-83 at the Brightwater development site to the west has yielded numerous cog stones and human remains not acknowledged or anticipated in environmental documents for the project, resulting in a tragic loss of cultural values and desecration of burial sites. CA-ORA-83 extends east of the Brightwater site, across the Bolsa Chica Street alignment.

In any case, the loss of any additional cultural resources in this area would constitute a significant adverse effect, even if resources are documented and recovered. As stated by Susan Stratton, supervising archeologist at the California Office of Historic Preservation, commenting on CA-ORA-83:

I don't see how you can mitigate for this. Let's say you completely destroy a building. How are you going to compensate for the destruction? Maybe you build a replica. But in this case you have an archeological site and it's a non-renewable resource so whatever remains of this particular site, it's forever. It will never be duplicated. You can't build a replica of this.

Archaeological sites are fragile and non-renewable. Archaeological "recovery" is a destructive process. It is essential that on-site cultural resources be preserved at their existing location for future generations with advanced archaeological techniques that can provide answers to the questions we cannot answer with today's technology and that is non-destructive.

Impacts on cultural resources must be examined in an environmental impact report in light of what has occurred on the Brightwater site to the west.

Cumulative Impacts

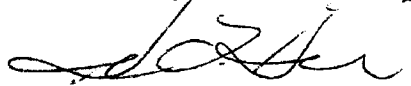
In addition to the many significant environmental impacts to be created by the proposed project when considered on its own, the project will contribute to cumulative impacts generated by other, related development in the area, including projects at Brightwater, Parkside, and the Goodell site, which is also currently in process. This will result in significant cumulative impacts on air quality, noise, traffic, loss of habitat, and loss of open space to name a few. It is particularly puzzling that separate MNDs would be processed for the adjacent Ridge and Goodell sites at the same time, rather than examining the impacts of development of the area in one environmental document.

Conclusion

Based on the above, it cannot be assured that no significant adverse impacts will occur as a result of the proposed project. On the contrary, it is likely that impacts can and will occur. Thus, the proposed MND should not be adopted.

Thank you for the opportunity to comment. Please keep us informed as this project proceeds.

Yours Truly,

A handwritten signature in black ink, appearing to read 'S. Genis', written over a horizontal line.

Sandra L. Genis

Villasenor, Jennifer

From: PARS11@aol.com
Sent: Thursday, October 01, 2009 6:24 PM
To: Villasenor, Jennifer
Subject: Bolsa Chica Ridge

I am writing to protest the building of another 22 homes, or any homes at all, on the remaining Bolsa Chica area. That this company would choose to build near the Cog Site is an abomination. They just never give up. 22 homes, at or near a sacred site, thousands of years old is a travesty. The developer's greed must be met with firm resolution to preserve this entire area.

Merle Moshiri
8802 Dorsett Dr.
Huntington Beach, CA 92646
714-536-2017

ATTACHMENT NO. 4.26

10/22/2009

Villasenor, Jennifer

From: Karna Bramble [karna.bramble@gmail.com]
Sent: Friday, October 02, 2009 9:52 AM
To: Villasenor, Jennifer
Subject: Bolsa Chica Ridge project

Dear Ms. Villasenor

I am writing as a member of the Bolsa Chica Land Trust to request that you deny the Bolsa Chica Ridge project. I do not believe this is an appropriate project for the area as the few houses that will be built will only benefit a few while the greater good of the area will be lost. Is it not better when we have the chance to protect areas not yet developed? There are always places to build homes, but once built the use of that land is lost forever. We need the open spaces for its environmental impact as well as the opportunity it offers for our children and wildlife.

Again, I request that this project be denied.

Sincerely,

Karna Bramble
Member, BCLT
291 Covina Ave
Long Beach, CA 90803

10/22/2009

ATTACHMENT NO. 4.27

Villasenor, Jennifer

From: Barbara Rose [rosehb@verizon.net]
Sent: Saturday, October 03, 2009 12:15 PM
To: Villasenor, Jennifer
Subject: Hearthside development

Gentleman or Gentlewoman,

I am a resident of HB for over 30 years and have watched while developers have systematically covered over acres and acres of open lands. The long fight to preserve the Wetlands seemed to finally be over, but now Hearthside wants to build more huge homes near very sensitive areas. PLEASE stop the building....ENOUGH already. If we cannot preserve this area now, it will be lost forever. I urge you to do all that is possible to defeat this latest project.

Thank you.

Barbara Rose
17281 Blue Fox Circle
Huntington Beach, CA. 92647
(714) 842-7049

10/22/2009

ATTACHMENT NO. 4.28

Villasenor, Jennifer

From: Rita Agustines [jjagust@mac.com]
Sent: Sunday, October 04, 2009 11:23 PM
To: Villasenor, Jennifer
Subject: Los Patos Parksites

Dear Jennifer Villasenor:

I have been a resident of Huntington Beach for 35 years. I am opposed to further development encroaching on the Bolsa Chica Wetlands. This Hearthsides Homes project to build another 22 homes on a 5 acre parcel certified "Open Space Park" by the Coastal Commission will have a negative impact on the Wetlands and the wildlife of the Bolsa Chica. We are opposed to this development in the Environmentally Sensitive Habitat Area and next to the Cogged Stone site! Please do not approve this project. This parcel should remain open space park. We are very fortunate to have the Bolsa Chica Wetlands. The residents of Huntington Beach and surrounding communities benefit from this special area. People from all walks of life visit the Wetlands including school children, senior citizens, and handicapped and severely handicapped people. As a community it is our responsibility to protect this special area.



This is a least tern-endangered species- one of many birds at the Bolsa Chica Wetlands. We need to protect their home, and not allow further development. Building 22 homes in a certified open space park will not make the developer very much money and it will not add to the quality of life in Huntington Beach. Allowing this 5 acre open-space park parcel to be developed has the potential to bring harm to the Bolsa Chica Wetlands, and destroy the homes of many rare birds who inhabit the area. We must protect this area for all future generations.

Sincerely,

Rita Agustines
16801 Coral Cay Lane
Huntington Beach, CA 92649

October 4, 2009

10/22/2009

ATTACHMENT NO. 4.29

Villasenor, Jennifer

From: Jody Graham [jgraham@socal.rr.com]
Sent: Wednesday, October 07, 2009 3:15 PM
To: Villasenor, Jennifer
Subject: Hearthside plans

Greetings,

I am a Huntington Beach resident writing in opposition to the Hearthside plans to build 22 houses in an area designated for open spaces and adjacent to both an environmentally sensitive habitat area and a site that should be preserved for historic reasons. I am also opposed to the additional traffic and infrastructure burdens this project will introduce. Please reject their proposal.

Thank you,
Jody Graham
Huntington Beach

10/22/2009

ATTACHMENT NO. 4.30

October 7, 2009

City of Huntington Beach
Planning Department
ATTN: Jennifer Villasenor
2000 Main St.
Huntington Beach, CA 92648

Re: "The Ridge" Environmental Assessment No. 08-016

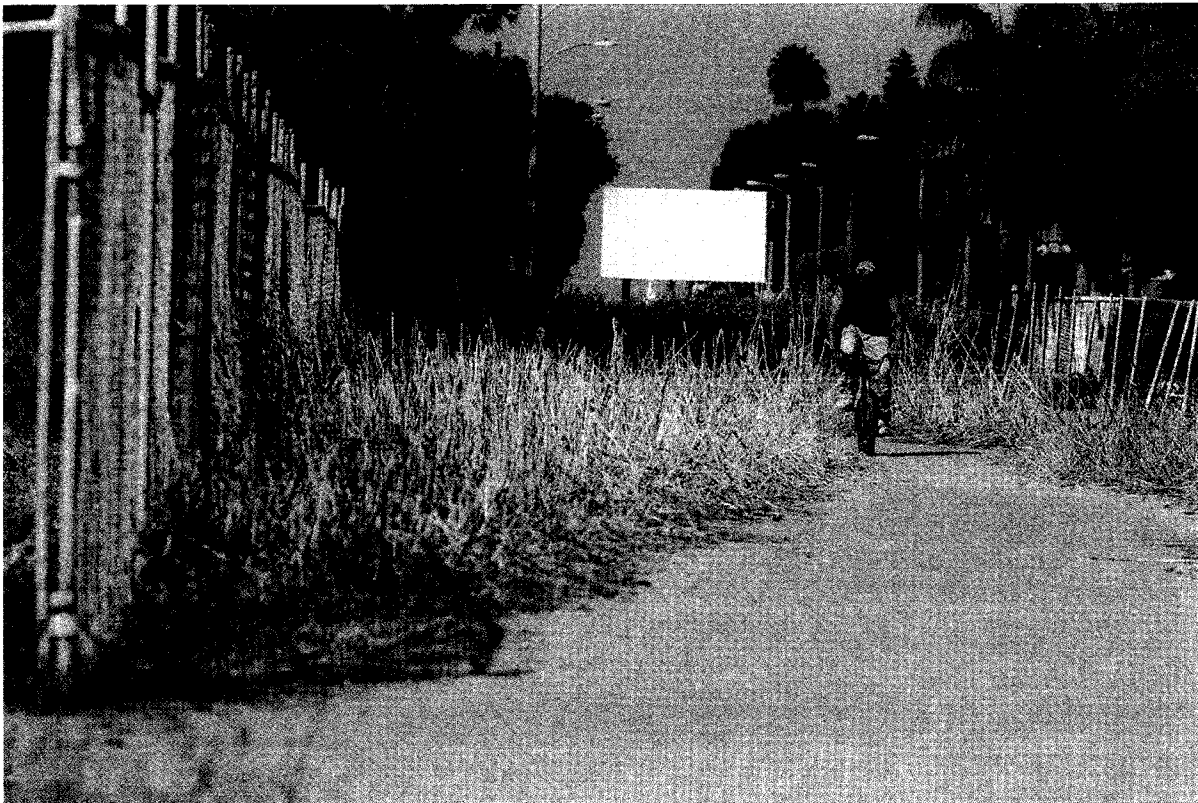
Dear Ms. Villasenor,

I am writing to express the following concerns with "The Ridge" Environmental Assessment No. 08-016.

No Public Benefit from City-owned Strip Improvement

The EA claims a "public benefit" from improvement of the adjacent 30-foot wide City-owned parcel, asserting that it will improve coastal access opportunities. That city parcel is already heavily used by hikers, bikers, and others for coastal access to the unimproved informal trails of the Shea property, and improvement as part of The Ridge will do nothing to increase the level of access. Therefore it is inaccurate of the EA to claim a public access benefit.

Here is a photo showing typical hiker/biker access via the unimproved city parcel:



ATTACHMENT NO. 4.31

Drainage Alterations will Impact the Shea AP/EPA Wetlands

Development of "The Ridge" will reduce surface sheet flows of stormwater into the nearby Shea AP/EPA wetlands. The attached Exponent drainage study was submitted by Shea as part of the November 2007 CCC Parkside LCPA hearing and shows that a sizable portion of "The Ridge" is part of the drainage area that drains into the AP/EPA wetlands.

Shea maintained and the CCC concurred that the AP/EPA wetlands are the result of stormwater surface sheet flows rather than groundwater. Thus, development of "The Ridge" will redirect a portion of these sheet flows via infiltration and a storm drain, which will cause significant negative impacts to the AP/EPA wetlands.

Insufficient Setback from Shea Eucalyptus ESHA

The EA states that the closest residential lot is 160 feet from the ESHA. However, the CCC-approved Parkside LCPA requires a much greater ESHA setback for the Parkside development:

"A minimum buffer width of 297 to 650 feet shall be established between all residential development or active park use and raptor habitat within the eucalyptus groves."

The Ridge should be held to the same 297-foot setback standard as Shea Parkside. The EA is flawed in using tree-top height relative to pad height as justification for less than significant impact upon the ESHA. The EA neglects to mention that the Shea property slopes gently downward from the eastern edge of The Ridge down to the base of the eucalyptus ESHA. Thus while the tree-top heights may only be a few feet taller than the pad heights, because of the slope of the terrain, raptors perching or nesting well below tree-top height will still have an unimpeded view of The Ridge and be exposed to associated noise, lighting, and other visual impacts not considered by the EA. This will result in significant negative impacts to raptor usage of the eucalyptus ESHA.

EIR Required

Given the significant negative impacts to the wetlands and ESHA of the adjacent Shea property, an EIR should be required for "The Ridge", and the project should be redesigned to mitigate these impacts to less than significant.

Sincerely,

Mark D. Bixby

Mark D. Bixby
17451 Hillgate Ln
Huntington Beach, CA 92649-4707
714-625-0876
mark@bixby.org

Attachments:

Exponent drainage study

ATTACHMENT NO. 4.32

Exponent

*Failure Analysis Associates**

Technical Memorandum

**Water Availability Estimates
for the EPA Area at the
Shea Homes Property**

Prepared for

Mr. Ron Metzler
Shea Homes
603 South Valencia Avenue
Brea, CA 92823

Prepared by

Doug Hamilton
Exponent
320 Goddard, Suite 200
Irvine, CA 92618

October 5, 2007

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Doc No. NB10244.006 A0T0 0907 TTC1



ATTACHMENT NO. 4.33

Executive Summary

The analysis presented herein is a water balance created to calculate the maximum amount of water that is available on an annual basis to an approximately 8-acre area at the northwest corner of the Shea Homes property, formerly delineated by the EPA as a wetland. The objective of this water balance is to use available data (e.g., rainfall records, soils and land use information, and water demand of wetland plants) for the 8-acre area to create an accounting system that tracks the rainfall, infiltration losses, and contributing runoff to quantify the maximum amount of water that is available to wetland plants. If the long-term maximum amount of available water based on rainfall, infiltration losses, and runoff is less than the amount of water necessary for wetland plants to survive, then the area does not have sufficient water to support a wetland. More complex analyses that consider factors such as estimates for evaporation (over ponded locations), and transpiration (release of water vapor from vegetation) are excluded. This makes the water availability calculations presented in this report conservative over-estimates of the actual amount of water available for assessment of wetland viability.

Financial Accounting Analogy to Hydrologic Water Balance

The hydrologic water balance presented in this memorandum can be compared to a financial accounting system, similar to a standard checking account. Income or deposits to an account are similar to the inflow of rain and runoff over a watershed area. Expenses or withdrawals from an account are similar to the infiltration losses (absorption of water by soil) and other watershed losses experienced on the natural landscape. When one balances an account, determining the difference between deposits and withdrawals, the total remaining in the account is analogous to the maximum water availability in the watershed. Periods of high income and/or low expenses correspond to high savings; whereas periods of low income and/or high expenses correspond to lower savings. Similarly, periods of high amounts of rainfall generally correspond to periods when the water availability is greatest in a watershed, and periods of low rainfall correspond to periods when the water availability is lower. To be fiscally conservative, one would want to

keep expenses both realistic and proportional to one's income in order to maximize one's savings. As such, in this water balance, conservatively low infiltration loss rates are selected based on published values, and losses are taken to be proportional to the rainfall totals recorded to estimate the maximum possible water availability.

Summary of Results of Water Balance

The results from all drainage area conditions indicate that while there are occasional years when the water availability estimates exceed the threshold value of 24.6 inches (the minimum water demand for wetland plants), in the majority of years this is not the case. The percentage of years when the water availability estimates are less than 24.6 inches ranges from a low of 72.3 percent to a high of 91.5 percent for the various drainage area conditions. Table 1 provides a summary of the results.

Table 1. Summary of water availability estimates.

Watershed Condition	Median Water Availability in	Years with Available Water Greater Than or Equal to 24.6 inches	Years with Available Water Less Than 24.6 inches	Maximum Water Available for this Watershed Condition in	Minimum Water Available for this Watershed Condition in
1970	13.86	14.9%	85.1%	35.09	4.10
1980	14.23	17.0%	83.0%	36.02	4.20
1980a	18.80	27.7%	72.3%	47.60	5.56
1997	11.60	8.5%	91.5%	29.37	3.43
2005	14.07	17.0%	83.0%	35.62	4.16

Water Availability Estimates for the EPA Area at the Shea Homes Property

Introduction

Exponent was requested to revisit the October 2006 studies of the annual availability of water to potential ponding areas located at the Shea Homes property. The objectives of the current work include using daily precipitation data for a 47-year period of record, as opposed to a 29-year subset, evaluating the relevancy of incorporating evapotranspiration losses in the calculation of water availability, considering the 8-acre EPA area paired with four different corresponding contributing watershed areas, and analyzing one scenario with the 8-acre EPA area paired with watershed areas with different loss rates. Ultimately, the goal of this work is to determine the median water availability estimates at the 8-acre potential ponding area for each of the five drainage area scenarios.

Previous Work

In October 2006, Exponent presented annual water availability estimates for three conditions at the Shea Homes site: WP Post-2005¹, WP Pre-2005², and CP Pre-2005³. Each condition had a unique pairing of direct and contributing watershed areas, summarized in Table 2. A schematic illustrating the types of areas and values included in the annual water availability estimates is presented in Figure 1.

¹ "Water Availability Estimate for WP Post-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

² "Water Availability Estimate for WP Pre-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

³ "Water Availability Estimate for CP Pre-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

Table 2. Summary of direct and contributing watershed areas.

Condition	Direct Area Acres	Contributing Watershed Area acres
WP Post-2005	0.97	1.57
WP Pre-2005	0.97	2.67
CP Pre-2005	1.00	8.23

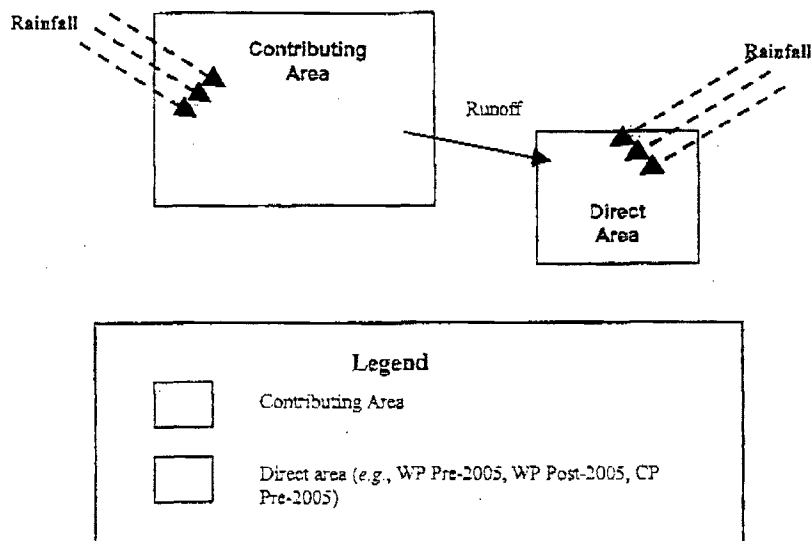


Figure 1. Schematic of areas and input included in October 2006 Exponent water availability estimates.

Hourly rainfall data from the Long Beach Daugherty Gage from 1977 to 2005 (29-year period of record) and a loss rate of 0.2 inches/hour (conservatively selected for Soil Group D) published in the Orange County Hydrology Manual were used to calculate the water availability for these conditions. Figure 2 shows the annual rainfall depths recorded at the Daugherty Gage.

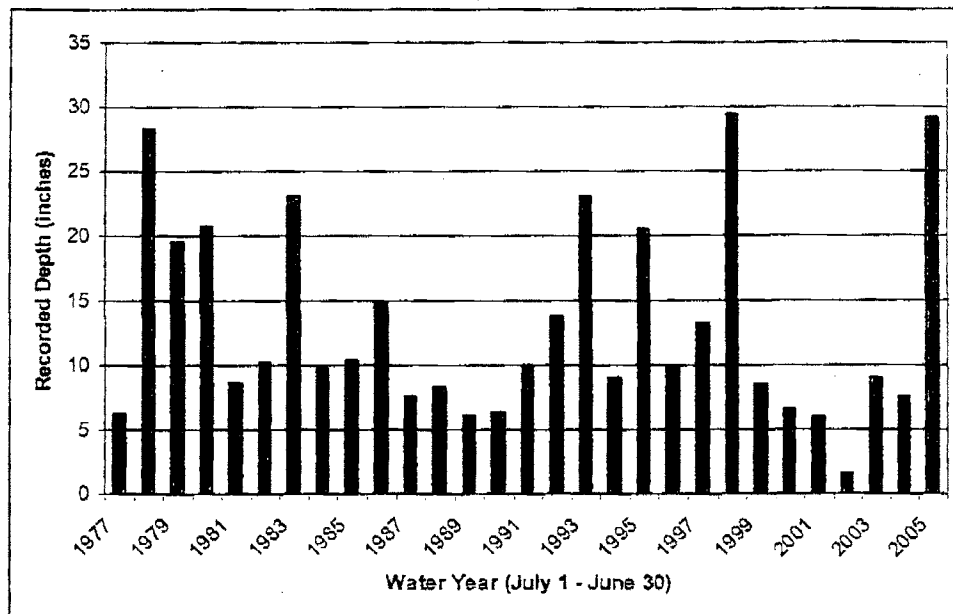


Figure 2. Total annual rainfall at Long Beach Daugherty Gage.

The total amount of water available to the direct area was determined by adding the volume of rainfall that fell on the direct area to the volume of water that flowed as runoff from the contributing watershed area to the direct area. The annual available water was calculated using the growing season definition of a water year beginning July 1 of the previous year and ending June 30 of the designated year. For example, the 2005 water year begins July 1, 2004 and ends June 30, 2005.

A summary of the results of this study can be found in Table 3. These results illustrated the variability in water availability based on the measurements for the direct and contributing watershed areas. Overall, the median annual available water estimates ranged from 11.53 inches to 20.81 inches. Importantly, the average rainfall loss incurred over the period of record was approximately 87 percent. This loss varied from about 80 percent to about 97 percent for 28 out of 29 years. The exception was 63.9 percent in 1978. The spread of the loss is fairly narrow, and the mean (86.8 percent) and median (87.2 percent) are very close together. Because

the variability across years is very small, the use of a single average value is appropriate. This observation was applied to the current analysis, assuming that for most years, the average rainfall loss values would be close to 87 percent.

Table 3. Summary of results from October 2006 Exponent Water Availability Estimates.

Condition	Median in	Maximum in	Year of Maximum	Minimum in	Year of Minimum
WP Post-2005	11.53	44.81	1978	1.89	2002
WP Pre-2005	13.25	56.40	1978	2.12	2002
CP Pre-2005	20.81	112.38	1978	3.22	2002

Using the wetland plant water needs in the Glenn Lukos Associates October 2006 memorandum⁴ to Coastal Commission staff, the minimum available water required of wetland vegetation was 24.6 inches per year, based on the annual wetland plant species with the lowest water demands. Perennial wetland species require about twice as much water, or more, per year. These results indicated that wetland species would not be supported based on the surface water availability estimates, in the majority of years.

Current Analysis

As in the October 2006 analysis, the total amount of water available to the potential wetland area (analogous to the direct area in the previous study) is calculated by adding the volume of rainfall over the potential ponding area to the volume of water that flows as runoff from the contributing watershed area to the potential ponding area. The important differences between the previous and current studies relate to the precipitation and loss data available and the defined potential ponding area and contributing watershed areas.

⁴ "Water Balance/Budget for WP and CP and Evaluation of Vegetation in WP and AP using Prevalence Index", Glen Lukos Associates memorandum to Dr. J. Dixon, and M. Vaughn, T. Bomkamp, October 31, 2006.

Precipitation Data

In the current analysis, a key objective is to expand the climatic period of record considered in order to obtain a broader understanding of the conditions at the potential ponding site over a longer time period. In doing so, daily rainfall data from the Orange County Los Alamitos Gage record for 1959 to 2005 is used. Figure 3 shows the annual rainfall depths recorded at the Los Alamitos Gage.

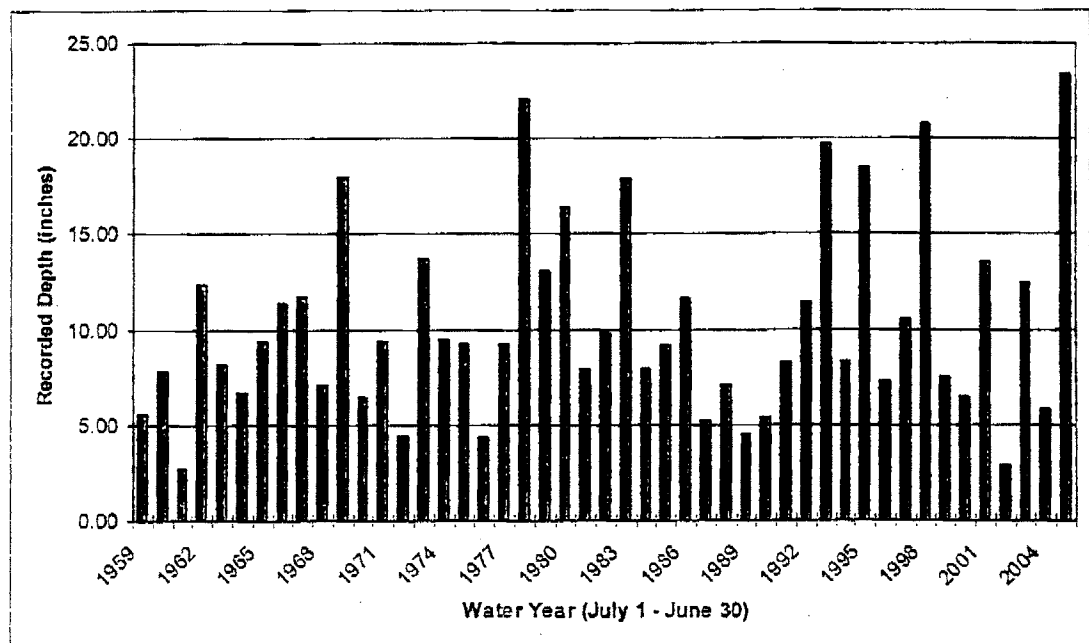


Figure 3. Total annual rainfall at Orange County Los Alamitos Gage.

Comparing the time period when the Long Beach (hourly, summed to daily) and Orange County (daily) precipitation gage records overlap, the recorded depths at the Long Beach gage are generally slightly higher than those at the Orange County gage. The Long Beach gage recorded depth is less than that recorded at the Orange County gage for only four of the years when the gage records overlap. In general, however, the magnitudes of the recorded values are similar. Figure 4 presents a comparison of the annual precipitation totals at each of the gages.

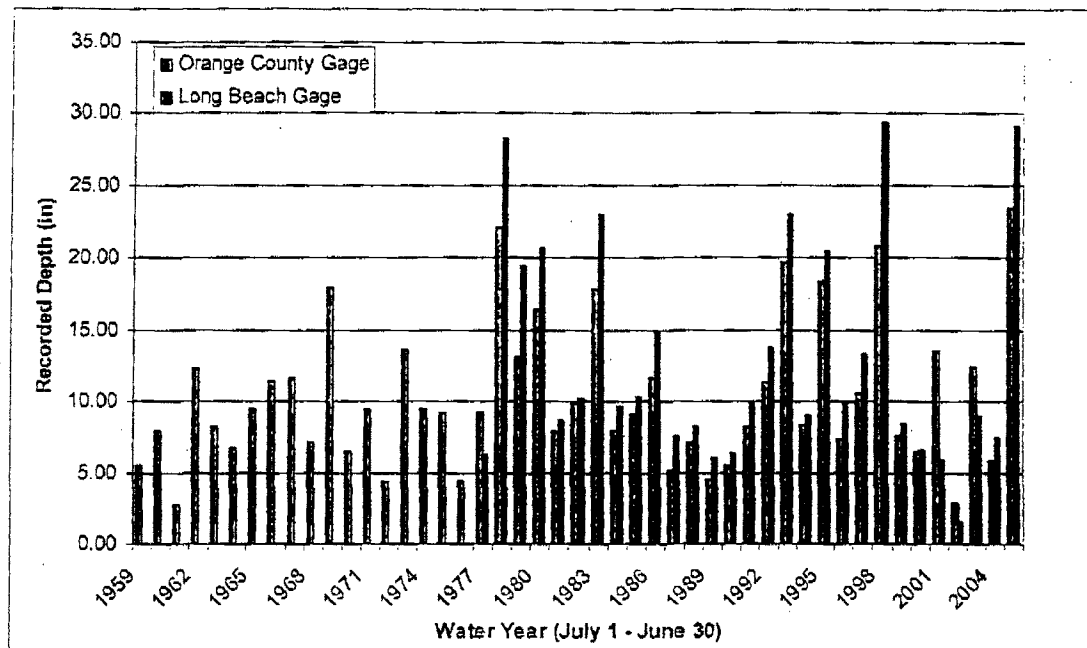


Figure 4. Comparison of recorded precipitation depths at Long Beach Daugherty and Orange County Los Alamitos gages.

Infiltration Losses

To account for infiltration losses, it was not possible to directly incorporate the hourly loss rate published in the Orange County Hydrology Manual since the available data from the Los Alamitos Gage is recorded daily. Therefore, the results from the previous work with hourly rainfall data from Long Beach were consulted. The calculations from the October 2006 study indicate that over the 29-year period of record, approximately 87 percent of rainfall is lost as infiltration.

Since the climatic conditions at both gages are not decidedly different, as evidenced by the similarity in the magnitudes of the recorded precipitation values and the geographic proximity of the gages, it is expected that the intensities of the storm events would generally be similar at both locales. The intensity of a given storm event contributes to the amount of infiltration losses. To maintain consistency with the Long Beach work and to objectively apply losses to

the daily data, an 87 percent average rainfall loss was applied to calculate the excess water available for runoff from all of the contributing watershed areas for the 1970, 1980, 1997, and 2005 drainage area conditions.

The 1980 drainage area condition is of particular interest because the extent of potential wetlands were based on the 1980 topography, in conjunction with two aerial photographs from March 1982, analyzed by Thomas Bilhorn⁵. An alternate evaluation of the runoff conditions is considered for the 1980 drainage areas and is referred to as the 1980a scenario. In this case, because of the possibility that runoff from the 22-acre Cabo del Mar area could have been higher due to the modifications in soil conditions resulting from construction occurring at the site, two different loss rates are applied to the contributing watershed areas. An 87 percent average loss, based on a 0.2 inch/hour loss rate, is applied to the tributary area, and a 69 percent average loss is applied to the Cabo del Mar diversion. This new loss rate is determined by conservatively assuming a 0.1 inch/hour loss rate for storm events recorded at the Long Beach precipitation gage. (This assumes a loss rate that is 50 percent lower than estimated for Soil Group D in the Orange County Hydrology Manual.) Over the period of record at the Long Beach gage, the average loss is approximately 69 percent.

Potential Evaporation

It should be noted that incorporating potential evapotranspiration losses in this water balance was also considered; however, it was not included in this analysis. Evapotranspiration is a process by which water (in liquid or solid phase) stored on the land surface – in open bodies of water, plant leaves, exposed soil, *etc.* is converted to water vapor. It is a complicated value to estimate, dependent on many factors including wind, vapor pressure, relative humidity, solar radiation, air temperature, and water availability. Thus, it is difficult to accurately account for and incorporate such losses in a simple water balance model with readily available data. In any

⁵ "Agricultural Area Delineation, Bolsa Chica, Orange County, California", Prepared for the Signal Bolsa Corporation, T. W. Bilhorn, 1987.

case, including evapotranspiration losses would serve to further reduce the water available to the potential ponding area. Therefore, the water availability estimates presented here are conservative estimates of the annual maximum water availability.

Analysis

Once the annual water availability estimates were calculated for each drainage area scenario, the median water availability was determined. The median value corresponds to the 50th percentile of water availability estimates. At the median of a population of values, one half of the values are greater than the median value and the second half of the values are less than the median.

Wetland delineation authorities, including the California Coastal Commission, have stated that any wetland criterion must be exhibited in an area in the majority of years. For the particular criterion of water availability, the test is water availability of 24.6 inches or more in a majority of years for the most drought tolerant annual wetland indicator species with an indicator status of Facultative (FAC) or wetter. In this study, this criterion is evaluated with the median water availability, defined to be the value such that half of the years considered would have a water availability estimate greater than the median, and half of the years considered would have a water availability estimate less than the median. If the median value is greater than 24.6 inches, more than half of the years would have a water availability of 24.6 inches or more; conversely, if the median is less than 24.6 inches, less than half of the years would have a water availability of 24.6 inches or more. Thus the median water availability measures whether favorable conditions would exist for the most drought tolerant wetland indicator species to be sustained in a majority of years. To meet the threshold water availability value required for wetland vegetation to grow in a majority of years, the median water availability must be greater than 24.6 inches.

Water Availability Estimates

In this analysis, five different drainage scenarios are considered. Four of the scenarios (for 1970, 1980, 1997, and 2005) are evaluated based on drainage area maps prepared by Hunsaker

and Associates for the Shea Homes property, delineating various drainages at the site based on land use conditions from those years. In these scenarios an 87 percent average rainfall loss is applied to all of the contributing drainage areas. A fifth scenario, labeled as 1980a, assumes different average rainfall losses for two different soil conditions at the tributary and off-site drainage areas, as previously described. In all five scenarios, an 8-acre potential ponding area coupled with different contributing watershed areas are studied. The drainage area maps are shown as Figures 5 through 9. Using the areas shown on these plans and a nominal 8-acre potential ponding area, the watershed area contributing runoff to the potential ponding area for each map is calculated. Also included in the calculations, but not shown on the maps of the contributing watershed areas for 1970, 1980, 1997, and 2005, are the temporary contributions of runoff diverted from the Harbor Bluffs alone (5 acres) and the Harbor Bluffs plus Cabo del Mar (22 acres) off-site areas. These temporary diversions were 5 acres under the 1970 drainage area condition and 22 acres under the 1980 drainage area condition. The latter scenario is investigated as 1980a. A general schematic illustrating the relationships among the areas used in the calculation of the water availability estimates is shown in Figure 10.

Additionally, for each of the five scenarios, an estimated tributary watershed area was calculated that would generate a median water availability of 24.6 inches of rainfall based on the total areas determined from the Hunsaker and Associates drainage area maps. A summary of the areas used for each scenario is shown in Table 4.

Table 4. Area summaries for four scenarios evaluated using Los Alamitos Gage data.

Condition	Total Area Acres	Contributing Watershed Areas		Direct Area acres
		Tributary Area Acres	Off-Site Area acres	
1970	38.77	25.77	5.00	8.00
1980	41.23	11.23	22.00	8.00
1997	23.74	15.74	0.00	8.00
2005	40.17	32.17	0.00	8.00

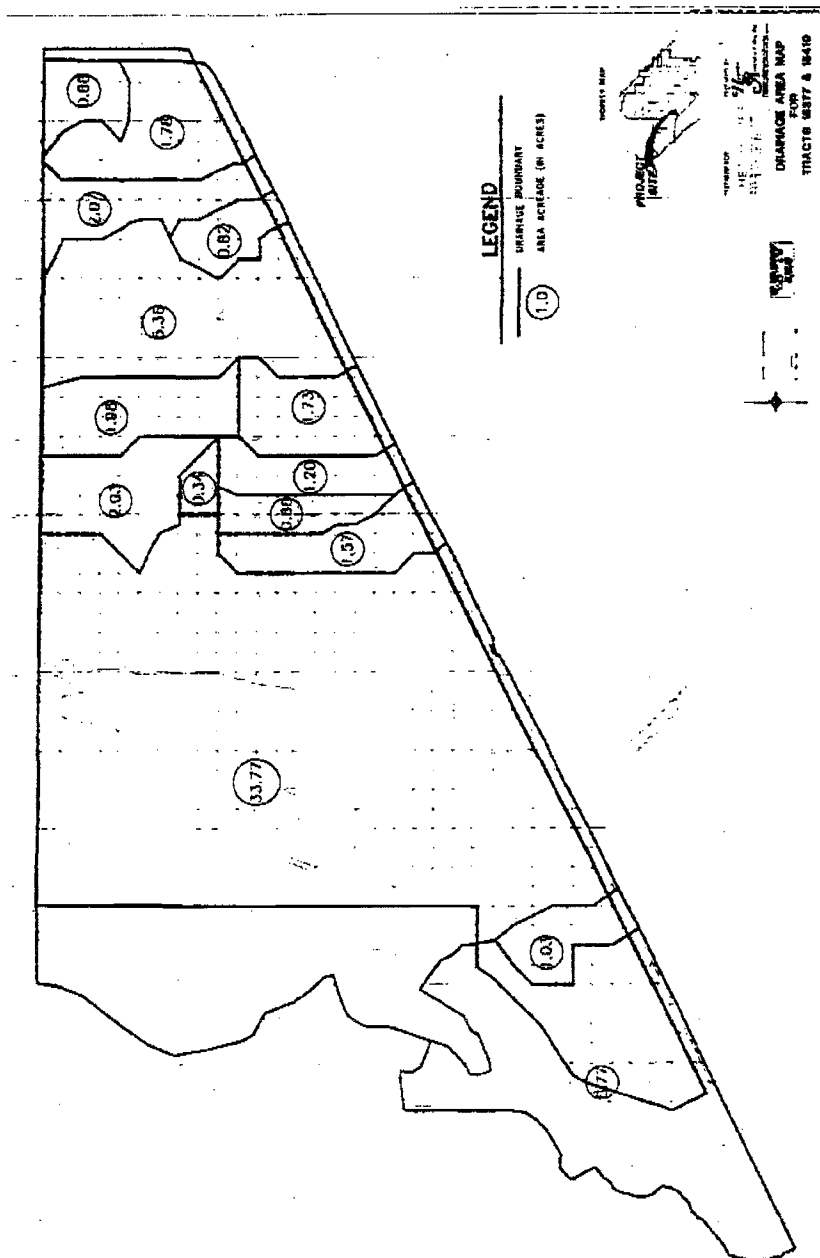


Figure 5. 1970 Hunsaker and Associates drainage area map. Total drainage area: 33.77 acres plus 5-acre diversion from north (not illustrated) = 38.77 acres.

LEGEND

— DRAINAGE BOUNDARY

○ AREA ACREAGE (IN ACRES)

1.0

2.04

0.02

0.94

0.42

1.78

5.03

0.04

0.70

0.32

0.46

0.63

2.72

19.23

0.39

1.20

0.52

1.97

0.83

0.37

0.10

0.21

PROJECT AREA

PROJECT MAP

STATE OF CALIFORNIA

DEPARTMENT OF WATER RESOURCES

DIAPHRAGM AREA MAP

FOR

TRACTS 3277 & 3281B

ATTACHMENT NO. 4.46

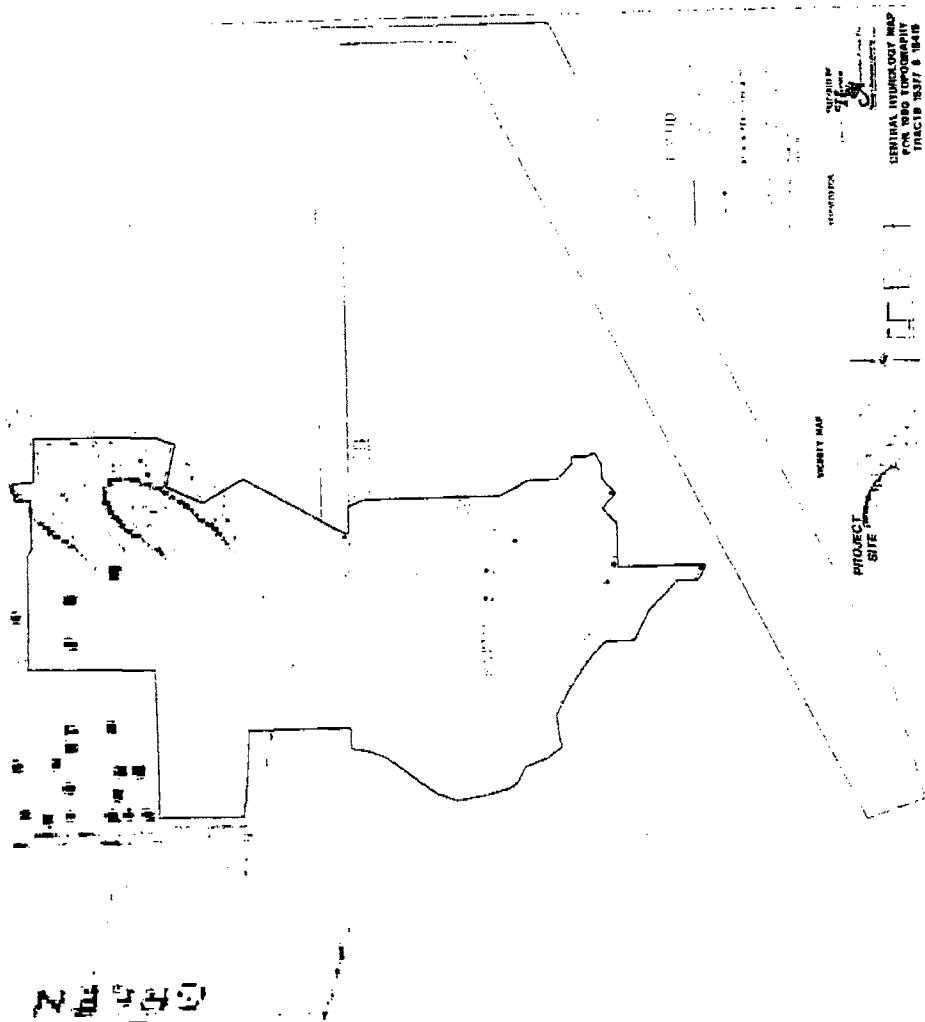


Figure 7.
1980a Hunsaker and Associates drainage area map. Black line delineates total drainage area. Total drainage area: 19.23 acres plus 22-acre diversion from north (illustrated) = 41.23 acres. Infiltration loss of 87% applied to 11.23-acre tributary area, and 69% applied to 22-acre off-site tributary area.

A vertical sequence of 15 small, square, black-and-white photographs showing the progression of a plant's growth from a seedling to a mature, flowering specimen. The sequence starts with a small seedling in a pot, followed by several stages of growth, including the development of leaves and the emergence of a flowering stalk. The final image shows a mature plant with a large, open flower. The images are arranged in a single column, with each image showing a different stage of the plant's development.



Figure 8. 1997 Hunsaker and Associates drainage area map. Total drainage area: 23.74 acres.

100



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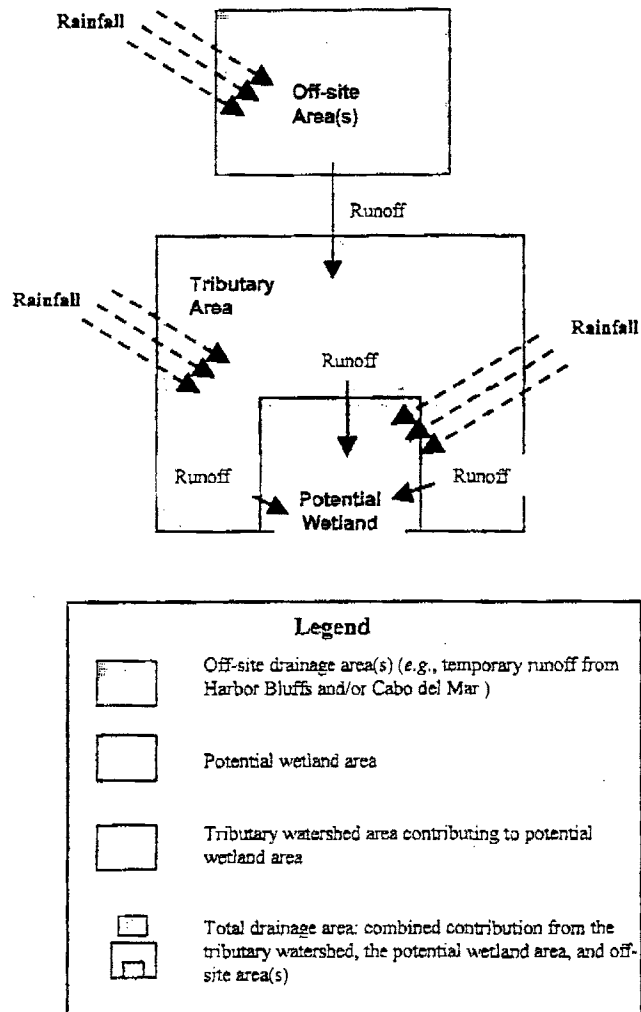


Figure 10. Schematic of areas and input included in September 2007 Exponent water availability estimates.

1970

The 1970 drainage area scenario has a total area of 38.77 acres, of which 25.77 acres are from the tributary drainage area, 5 acres are temporarily diverted from the Harbor Bluffs development, and 8 acres are designated as the potential ponding area. Figure 11 presents the annual water availability estimates for the 1970 scenario. The median water availability is 13.86 inches. The annual water availability ranges from a high of 35.09 inches in 2005 to a low of 4.10 inches in 1961. The water availability in 1970 is 9.66 inches, below the median for the period of record and less than the minimum 24.6 inches required for wetland vegetation. Of the 47 years analyzed, 85.1 percent of years have a water availability estimate less than or equal to 24.6 inches. Only seven years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.81-acre potential ponding area, with a 35.96-acre drainage area, would have a median water availability of 24.6 inches.

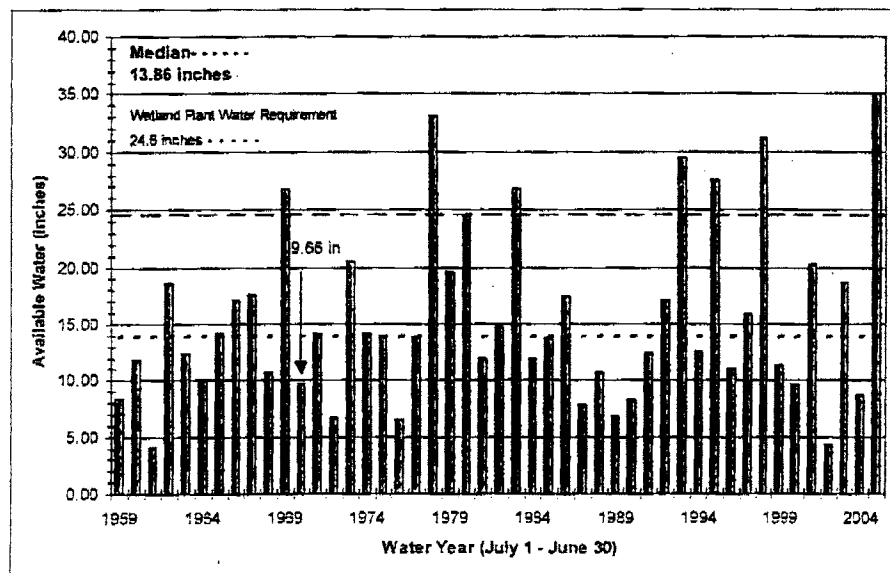


Figure 11. 1970 Drainage Areas - water availability estimates for potential ponding area by water year.

1980

The 1980 drainage area scenario has a total area of 41.23 acres, of which 11.23 acres are from the tributary drainage area, 22 acres are temporarily diverted from the Harbor Bluffs and Cabo del Mar developments, and 8 acres are designated as the potential ponding area. Figure 12 presents the annual water availability estimates for the 1980 scenario. The median water availability is 14.23 inches. The annual water availability ranges from a high of 36.02 inches in 2005 to a low of 4.20 inches in 1961. The water availability in 1980 is 25.21 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 83 percent of years have a water availability estimate less than or equal to 24.6 inches. Only eight years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.99-acre potential ponding area, with a 38.24-acre drainage area, would have a median water availability of 24.6 inches.

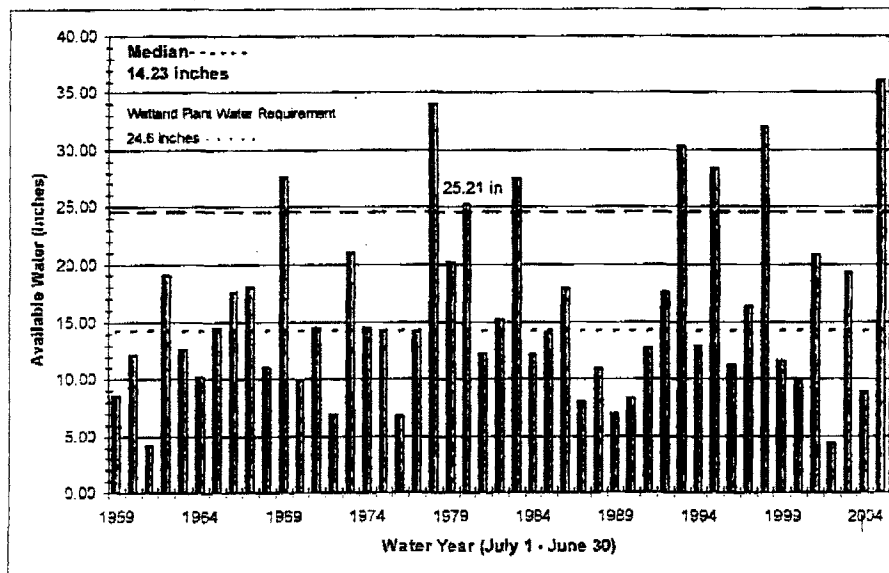


Figure 12. 1980 Drainage Areas - water availability estimates for potential ponding area by water year.

1980a

The 1980a drainage area scenario has a total area of 41.23 acres, of which 11.23 acres are from the tributary drainage area, 22 acres are temporarily diverted from the Harbor Bluffs and Cabo del Mar developments, and 8 acres are designated as the potential ponding area. As previously described, an 87 percent loss rate is applied to the tributary drainage area and a 69 percent loss rate is applied to the temporary diversion. Figure 13 presents the annual water availability estimates for the 1980a scenario. The median water availability is 18.80 inches. The annual water availability ranges from a high of 47.60 inches in 2005 to a low of 5.56 inches in 1961. The water availability in 1980 is 33.31 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 72.3 percent of years have a water availability estimate less than or equal to 24.6 inches. Only 13 years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 5.2-acre potential ponding area, with a 36.03-acre drainage area, would have a median water availability of 24.6 inches.

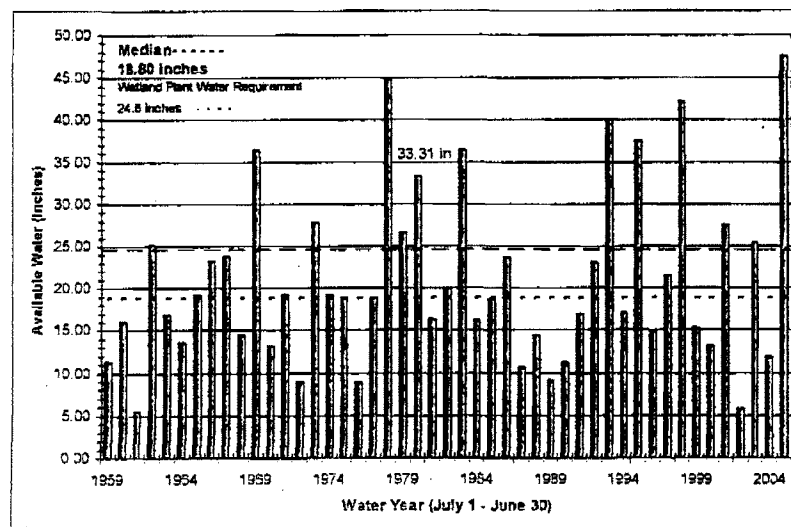


Figure 13. 1980a Drainage Areas - water availability estimates for potential ponding area by water year.

1997

The 1997 drainage area scenario has a total area of 23.74 acres, of which 15.74 acres are from the tributary watershed area (no diversion) and 8 acres are designated as the potential ponding area. Figure 14 presents the annual water availability estimates for the 1997 scenario. The median water availability is 11.60 inches. The annual water availability ranges from a high of 29.37 inches in 2005 to a low of 3.43 inches in 1961. The water availability in 1997 is 13.31 inches, less than the median for the period of record and less than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 91.5 percent of years have a water availability estimate less than or equal to 24.6 inches. Only four years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 1.72-acre potential ponding area, with a 22.02-acre drainage area, would have a median water availability of 24.6 inches.

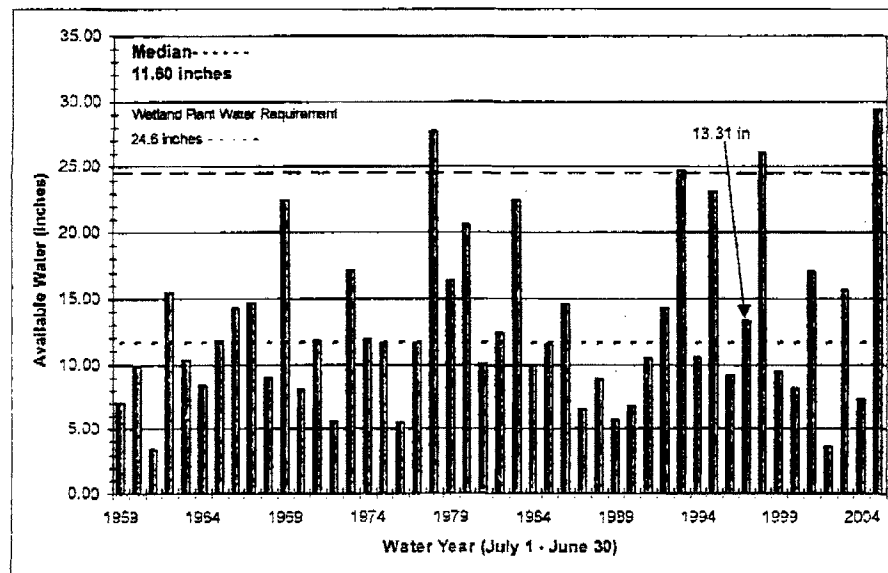


Figure 14. 1997 Drainage Areas - water availability estimates for potential ponding area by water year.

2005

The 2005 drainage area scenario has a total area of 40.17 acres, of which 32.17 acres are from the tributary drainage area (no diversion) and 8 acres are designated as the potential ponding area. Figure 15 presents the annual water availability estimates for the 2005 scenario. The median water availability is 14.07 inches. The annual water availability ranges from a high of 35.62 inches in 2005 to a low of 4.16 inches in 1961. The water availability in 2005 is 35.62 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 83 percent of years have a water availability estimate less than or equal to 24.6 inches. Only eight years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.91-acre potential ponding area, with a 37.26-acre drainage area, would have a median water availability of 24.6 inches.

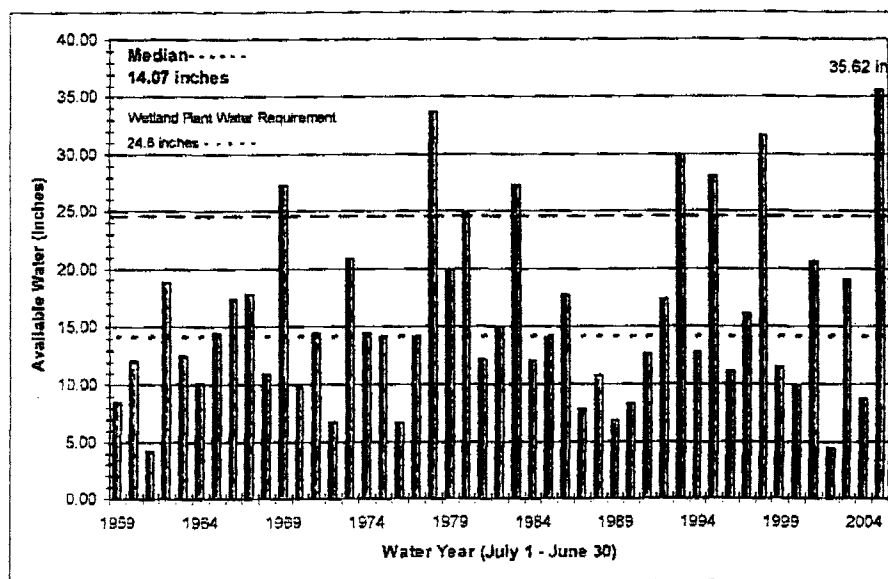


Figure 15. 2005 Drainage Areas - water availability estimates for potential ponding area by water year.

Conclusions

The results from all drainage area conditions indicate that while there are occasional years when the water availability estimates exceed the threshold value of 24.6 inches, in the majority of years this is not the case. Table 5 provides a summary of the water availability estimates. The percentage of years when the water availability estimates are less than 24.6 inches ranges from a low of 72.3 percent to a high of 91.5 percent for the various drainage area conditions.

Table 5. Summary of water availability estimates.

Watershed Condition	Median Water Availability in	Years with Available Water Greater Than or Equal to 24.6 inches	Years with Available Water Less Than 24.6 inches	Maximum Water Available for this Watershed Condition in	Minimum Water Available for this Watershed Condition in
1970	13.86	14.9%	85.1%	35.09	4.10
1980	14.23	17.0%	83.0%	36.02	4.20
1980a	18.80	27.7%	72.3%	47.60	5.56
1997	11.60	8.5%	91.5%	29.37	3.43
2005	14.07	17.0%	83.0%	35.62	4.16

Evaluating the potential for additional runoff generated by the Harbor Bluffs and Cabo del Mar diversions illustrates how the water availability estimates increase with a decrease in estimated infiltration. As a result, a maximum of 5.2 acres of annual wetland vegetation might hypothetically be supported with a 36.03-acre tributary area.

The results observed using the Orange County Los Alamitos precipitation gage data and the drainage areas from 1970, 1980, 1980a, 1997, and 2005 are consistent with the results observed using the Long Beach Daugherty precipitation gage and the areas determined for the WP Pre-2005, WP Post-2005, and CP Pre-2005.

October 8, 2009

City of Huntington Beach
Attn: Jennifer Villasenor, Planning
2000 Main St
Huntington Beach, CA 92648

RE: Environmental Assessment No. 2008-016 "The Ridge"

Ms. Villasenor,

I have the following public comments, concerns, and questions (MND original text in CAPS, since the City does not provide a copy/paste version):

Page 2: Public Benefit

"THE FIRST PUBLIC BENEFIT IS THE IMPROVEMENT OF AN EXISTING 30-FOOT WIDE CITY-OWNED PARCEL IMMEDIATELY NORTH OF THE PROJECT SITE. THE PARCEL IS CURRENTLY UNDEVELOPED AND WOULD BE IMPROVED WITH A 6-FOOT WIDE MEANDERING TRAIL AND LANDSCAPING BUFFER THAT WOULD CONNECT TO AN EXISTING INFORMAL PATH ON THE ADJACENT SHEA PROPERTY EAST OF THE PROJECT SITE TO PROVIDE ACCESS TO THE BOLSA CHICA WETLANDS FROM BOLSA CHICA STREET, THEREBY IMPROVING COASTAL ACCESS OPPORTUNITIES IN THE BOLSA CHICA AREA."

The MND's claims of the so-called "public benefits" of this project are without merit.

1) Public Benefit Claim #1: "provide access"/ "improved access opportunities":

The MND repeatedly notes the "30-FOOT WIDE CITY-OWNED PARCEL", but I do not see anywhere where it states the LENGTH (distance) of this parcel. 30 feet by how long? Google Earth says about 425 feet, or less than 1/10th of a mile.

The MND does not state if the City-owned parcel is accessible to the public now (whether people can walk on it). The public has access to the parcel now.

The MND does not state if the City-owned parcel connects to the informal Shea path now. The parcel connects to the Shea path now.

The MND does not state the condition of the informal Shea path. The informal path is unpaved, steep in parts, without rails or stairs. And the Shea path itself does not connect to the coast, but to another path (the Levee trail) that leads to the coast. The entire coastal access route from this point is over a mile long, uneven and unpaved.

ATTACHMENT NO. 4.57

How is the City defining “improvement”? The dictionary says “improved” means “expanded, increased, get better.” The access the City is talking about is not expanding or increasing—it already exists. That leaves the “get better” criterion. How do you define “better coastal access?” Is the improvement creating a short cut? No. Is the improvement making it easier for handicapped persons to navigate the path? Well, for the first 1/10th of a mile, but then there’s the informal, steep, unpaved Shea path that it connects to, and the uneven, unpaved trails beyond that, so the 1/10th mile improvement isn’t giving the handicapped better access to the coast via this route any more so than they have now. So again, it begs the question, exactly how is coastal access /opportunity for coastal access being improved by this project?

These are the facts:

- The City-owned parcel is accessible to the public now.
- The informal Shea path is accessible to the public via the City-owned parcel now.
- The project’s “improvement” of the 1/10th mile long City-owned parcel is not creating new or expanded access (“opportunity”) that did not exist before.
- The project’s “improvement” of the 1/10th mile long City-owned parcel is not making coastal access any “better” than it is now (i.e., it’s not making the distance shorter, or making the coast more accessible to the handicapped).

The fact of the matter is that there’s no “there” there. The so-called “improvement” is merely to the APPEARANCE of a 1/10th of a mile pathway, NOT to “COASTAL ACCESS OPPORTUNITIES IN THE BOLSA CHICA AREA.”

In short, it’s a beautification project trumped up to look like it’s more of a benefit than it actually is.

Page 2: Public Benefit

“THE PROJECT IS ALSO PROPOSING TO BE CONSTRUCTED AS THE CITY’S FIRST ‘GREEN’ RESIDENTIAL PROJECT.”

2) Public Benefit Claim #2: Building 22 houses using green features is a “public benefit” worthy of granting the project special status:

I wholeheartedly applaud green building practices. However, they should be standard practice in the City of Huntington Beach for ALL development, not singled out as a stand-alone “public benefit” on one small project to give that project a special waiver. In this MND, green practices are being trumped up as a “public benefit” when the benefit is

really to the applicant, so that their project obtains a special status, thus letting the developer get around certain rules and regulations.

Does building green mean less construction truck traffic during construction? Probably not.

Does building green shorten the amount of time it takes for construction? Probably not.

Does building green decrease the air quality impacts of construction? Probably not.

Does building green decrease the noise of construction? Absolutely not.

In short, there are no obvious short-term public benefits to green construction of this project.

What about long-term public benefits? The houses will use less electricity and water than comparable houses, which might be a small benefit to their PRIVATE owners, but how does that benefit the other 200,000+ Huntington Beach residents—the public supposedly benefiting from this project?

Unlike an EIR, an MND does not explore the alternatives that would be of GREATER public benefit than the proposed project. Two alternatives are 1) creating a park as per the existing certified land use plan, and 2) no project at all. All HB citizens could benefit from parkland since it would be available to ALL of its 200,000+ citizens. And if there is no project at all, then the electricity and water savings do “benefit” the public at large, because there would be more of both to go around. Air quality and traffic would also be better with no project since there would be fewer car trips without houses.

Will the fact that the city has 22 “green” units, of the tens of thousands of housing units the city has, make life better for the 200,000+ citizens of Huntington Beach? No. There is no overriding public benefit of building 22 green units to give this project special status.

Page 4: Other previous related environmental documentation:

3) The MND states “NONE.” Seriously? None of the prior EIR’s related to Bolsa Chica (and there are several) relate to these 5 acres even though they are part of the Bolsa Chica Mesa? Even the Goodell MND No. 08-017 admits that it is part of the Bolsa Chica Mesa and notes previous Bolsa Chica EIR’s accordingly. “NONE” is a lazy, insufficient answer, and serves to implicate this project as part of piecemeal planning rather than cumulative planning.

Page 11: Zoning/Land Use Consistency

The Environmental Checklist asks, “WOULD THE PROJECT A) CONFLICT WITH ANY APPLICABLE LAND USE, POLICY, OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING, BUT NOT LIMITED TO THE GENERAL PLAN...”

5) The MND does not discuss the Recreation and Community Services Element of the General Plan, which states “THE CITY HAS SET ITS PARK STANDARD AT FIVE ACRES PER 1,000 PEOPLE.” (RCS Policy 2.1.1) Furthermore, Park Acquisition Goal RCS 2 states, “Provide adequately sized and located active and passive parklands to meet the recreational needs of existing and future residents, and to preserve natural resources within the City of Huntington Beach...”

According to the recent (2009) EIR for the Downtown Specific Plan, the city is presently SHORT of the 5 acres per 1,000 residents policy. This MND wants to remove 5 acres of useful parkland (OS-P) from the General Plan which is

- a) inconsistent with the 5 acre RCS Policy 2.1.1, and
- b) inconsistent with RCS Goal 2.

How does this MND reconcile its proposed amendment removing 5 acres of useful parkland from the state-certified Land Use Plan with General Plan Policy RCS 2.1.1? I cannot see that it does.

Page 12: Land Use Policies

“THE PROJECT IS PROPOSING TO IMPROVE AN EXISTING UNDEVELOPED 30-FOOT WIDE PARCEL NORTH OF THE PROJECT SITE WITH AN ACCESS TRAIL THAT WOULD CONNECT TO AN EXISTING INFORMAL PATH ON THE ADJACENT SHEA PROPERTY THAT WOULD ULTIMATELY PROVIDE ACCESS TO THE FLOOD CONTROL CHANNEL AND THE BOLSA CHICA WETLANDS FROM BOLSA CHICA STREET.”

6) A restatement of the alleged “public benefit” of page 2. The dictionary says “improved” means “expanded, increased, get better.” The MND fails to explain how the paving and artificial landscaping of 425 feet equates to expanded, increased, or better coastal access.

7) The claim of improved access is in conflict with existing signage. Right now, several signs on Bolsa Chica Street state that public trails are SOUTH, at the end of Bolsa Chica

Street. Those are formal, established trails, which already “PROVIDE ACCESS TO...THE BOLSA CHICA WETLANDS FROM BOLSA CHICA STREET.” This MND implies that it wants to lead people EAST to the “informal” Shea trail. Will the applicant have to put up signs indicating access to the east, thereby confusing the public on which way to go? Is this MND saying that a paved trail connecting to an INFORMAL path is a “better” access point to Bolsa Chica than a paved sidewalk connecting to a FORMAL path (at the intersection of Bolsa Chica St & Brightwater)?

Page 13: Zoning/Land Use

“ALTHOUGH THE PROPOSED PROJECT WOULD RESULT IN DEVELOPMENT ON THE BOLSA CHICA MESA, THE EXISTING SLOPE ADJACENT TO THE PROJECT SITE WOULD BE PRESERVED.”

8) Preserved how? The MND does not state how the slope will be preserved.

Page 13: HBZSO & Applicable Codes

9) The text notes that “EXCEPTIONS” and “DEVIATIONS” are required to make the project “comply” with Code. Changing the rules to make things comply is not compliance, it’s getting around the rules that everyone else must follow. Why doesn’t the City make the applicant comply with existing code without exceptions and deviations?

Page 13: Zoning Text Amendment

10) The text talks about “TANDEM CONFIGURATION” for parking spaces but does not describe for the lay person what that is.

“FOR THESE 10 UNITS, THREE OPEN SPACES ARE REQUIRED, IN WHICH ONE OF THE REQUIRED OPEN SPACES IS PROPOSED TO BE MET THROUGH THE AVAILABLE STREET PARKING.”

11) If street parking is used for something that should be on private property, then that means less street parking for the general public, right?

Page 14: Zoning Text Amendment

“IN ADDITION, THE PROJECT IS PROPOSING TO PROVIDE A LINK, VIA A 30-FOOT WIDE LANDSCAPED PATH, TO CONNECT BOLSA CHICA STREET AT LOS PATOS AVENUE TO THE BOLSA CHICA WETLANDS.”

12) False claim. In order to “provide” a link the link must not already exist. Which it already does—in two directions!

Currently, the public has access to the Bolsa Chica Wetlands via the City-owned parcel at Bolsa Chica St & Los Patos Ave which leads to both

- a) the Informal, ungroomed Shea trail to the east;
- b) the paved sidewalk of Bolsa Chica Street which leads to the Formal, groomed Brightwater trail to the south.

It is accurate to state that “the project is proposing to landscape an existing pathway.” If you want to include the disclaimer “unofficial” pathway, then that’s factual, too. Just don’t mislead the public and claim the project will “provide” a service (access / link) that already exists.

Page 30: Biological Resources

“THE HEIGHT OF THE ESHA IS APPROXIMATELY 40 FEET ON AVERAGE SO THE TOPS OF THE TREES ARE APPROXIMATELY AT THE PROPOSED PAD ELEVATION.”

13) The MND claims that having people and dogs visible at tree top level 200 feet away is a less than significant impact on raptors that use the ESHA. What raptor expert said that? Do you have a study to back up that claim? Raptors use the middle-to-upper portions of trees, not the base root of trees!

The project would only be 160 feet from the Eucalyptus ESHA on the west. The ESHA is also hemmed in by the Cabo Del Mar condos to the north, and the Shea project to the east. What raptor in their right mind would use trees surrounded by development in such a way? If the ESHA is surrounded tightly on 3 sides, isn’t it degrading the ESHA to such an extent that it becomes useless and worthless to the raptors? Has a raptor expert been consulted on any of this?

14) The Coastal Commission made its determination of Shea buffers based on the OS-P land use designation of Hearthside’s 5 acres. To change the designation could change the premise of the buffer size. Won’t the CCC have to go back and refigure the Shea buffer based upon the land use changing from Open Space to Residential? Otherwise don’t you have a case of piecemeal planning?

Page 34-35: Public Services

15) While the project's impacts to existing parks would be less than significant, as noted previously, the impact to the General Plan policies concerning parks is Potentially Significant. There is no mitigation for loss of potential parkland in this MND.

Page 38: Aesthetics

"IN ADDITION, IMPROVEMENT OF AN EXISTING UNDEVELOPED 30-FOOT WIDE CITY-OWNED PARCEL NORTH OF THE PROJECT SITE WOULD PROVIDE PUBLIC ACCESS TO AN INFORMAL PATH ON THE ADJACENT SHEA PROPERTY FROM BOLSA CHICA STREET AND WOULD ALSO PROVIDE PUBLIC VIEWS FROM THE SLOPE EDGE AT THE EASTERN POINT OF THE SITE."

16) Again, the MND is purporting to "provide" something that already exists. Not only does access to the informal Shea path already exist, but the public views from the slope edge also already exist. Landscaping the City parcel to the north has no effect on either access or the view from the east!

On the other hand, building 2-story houses could serve to BLOCK the existing public view from this vantage point.

17) The MND seems to ignore Goodell MND No. 08-017 which plans 3.2 acres of Residential adjacent to the Ridge's Residential. Those future houses could also interfere with the public view being "provided."

Page 38: Aesthetics, Lighting

"THE PROPOSED LIGHTING PLAN FOR THE PROJECT INDICATES THAT ALL LIGHTING WILL BE SHIELDED TO MINIMIZE LIGHT CAST ONTO ADJACENT PROPERTIES. IN ADDITION, THE PROJECT SITE LIGHTING WILL INCLUDE 'DARK SKY' FEATURES THAT WERE IMPLEMENTED IN THE ADJACENT BRIGHTWATER RESIDENTIAL PROJECT AND HAVE ALREADY BEEN DETERMINED TO BE APPROPRIATE FOR AND SENSITIVE TO THE BOLSA CHICA AREA."

18) I wholeheartedly applaud the use of "dark sky" lighting. However, I'm surprised to hear that it's supposed to be used at Brightwater, also developed by applicant Hearthside Homes. Brightwater's public (common) areas have many landscaping lights that point skyward to illuminate vegetation. If the dark sky rules are not being enforced there, why should it be assumed the policy will be enforced at the Ridge?

19) It was previously stated (page 30) that the height of the ESHA tree tops would be about even with the housing pads. Any exterior house lights or street lights—pointing

down from above tree height—will impact the raptors, since their eyesight is much sharper. Has anyone consulted a raptor expert on this issue? How can light pollution not have a significant impact on natural resources at this location?

Page 39: Aesthetics

“IN ADDITION, THE ADJACENT SLOPE WOULD BE PRESERVED AS A SIGNIFICANT SCENIC RESOURCE AND THE PROJECT WOULD PROVIDE FOR PUBLIC VIEWS FROM THE PROJECT SITE VIA THE PROPOSED 30-FOOT WIDE ACCESS PATH.”

20) Same issues as previous page: If anything, building 2-story houses will obscure some of the existing scenic views. And the path—paved or not—won’t make any difference to the view.

And same issues as before—a) cannot provide an access path which already exists, and b) the methodology for preserving the slope is not stated.

Page 40: Cultural Resources Mitigation Measure 1

“THE APPLICANT SHALL ARRANGE FOR A QUALIFIED PROFESSIONAL ARCHAEOLOGICAL MONITOR TO BE PRESENT DURING ALL PROJECT-RELATED GROUND-DISTURBING ACTIVITIES...”

21) Is the City aware that the applicant, Hearthside Homes, was admonished by the state Native Americans Heritage Commission, for its archaeological mismanagement of Brightwater and ORA-83?

Is the city aware that the issue of poor handling of remains was brought before the state Coastal Commission and that the Commission reprimanded Hearthside for violations of conditions of approval?

Bad behavior should NOT be rewarded. The mitigation measure should be amended to state that Hearthside CANNOT use the same archeological firm that did the poor handling of remains at Brightwater & ORA-83.

Page 41: Recreation

“THE PROJECT, AS PART OF ITS PUBLIC BENEFIT, IS PROPOSING TO IMPROVE AN EXISTING 30-FOOT WIDE PARCEL LOCATED IMMEDIATELY NORTH OF THE PROJECT SITE, WITH A LANDSCAPED TRAIL THAT WOULD PROVIDE ACCESS FROM BOLSA CHICA STREET TO AN EXISTING INFORMAL PATH ON THE ADJACENT SHEA PROPERTY, WHICH ULTIMATELY

CONNECTS TO THE WETLANDS. IN THIS RESPECT, THE PROJECT WOULD FURTHER RECREATIONAL OPPORTUNITIES IN THE BOLSA CHICA AREA.”

22) Again with the wishful thinking—no matter how many times you repeat it doesn’t make it any more valid. Access already exists from the 30-foot, 1/10th mile long City parcel to the informal path; therefore, a) nothing is being provided and b) nothing is being added to (“further opportunities”). Nothing is being given to the public that they don’t already enjoy.

Page 42: Recreation

“IN ADDITION, THE COMMUNITY SERVICES DEPARTMENT HAS REVIEWED THE PROPOSED GENERAL PLAN AMENDMENT AND...HAS INDICATED THAT THE PROSED CHANGE IN LAND USE DESIGNATION WOULD NOT PRESENT A SIGNIFICANT IMPACT IN TERMS OF EXISTING OR PLANNED PARKS AND RECREATIONAL FACILITIES.”

23) Is the city also proposing to change RCS Policy 2.1.1 of the General Plan “Maintain the current park per capita ratio of 5.0 acres per 1,000 persons, which includes the beach in the calculation”?

Because unless the City is changing RCS Policy 2.1.1, then there WILL be a significant impact in terms of land use planning. The city is currently in violation of RCS Policy 2.1.1.

That’s not the worst of it. Projects “in the pipeline” will only serve to worsen the parkland-to-residents ratio:

- a) The Pacific City development will add hundreds of new residents but is not adding any new parkland.
- b) The high-density Amstar Red Oak project will be adding hundreds of new residents yet has no place for parkland.
- c) The Village at Bella Terra project proposes to “increase maximum development density,” thereby adding hundreds of new residents without any place for parkland.
- d) The Downtown Specific Plan Update proposes to “facilitate development opportunities within the DTSP area by revising development standards including increases in allowable densities” yet has no place for parkland.

So where does the city plan to get more parkland to comply with RCS Policy 2.1.1?

ATTACHMENT NO. 4.65

Page 43: Mandatory findings of Significance

The Checklist asks, “DOES THE PROJECT HAVE THE POTENTIAL TO ...SUBSTANTIALLY REDUCE THE HABITAT OF A FISH OR WILDLIFE SPECIES...THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY...”

24) What is the MND doing to protect the raptors that use the Shea Eucalyptus ESHA?

- What mitigation/protection is there from lighting directed downward at tree top height?
- What mitigation/protection is there from dog disturbance / human activity in the backyards of the Project?
- What mitigation/protection is there from dogs / human activity along the east slope access to the public views (pgs. 38-39)?

A raptor expert should be consulted before proceeding further with these plans and the MND’s assumptions of insignificant impacts to biological resources.

“DOES THE PROJECT HAVE IMPACTS THAT ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE?”

25) The MND does not address the issue of “piecemeal” planning. Sandover by Hearthside Homes was built in isolation. Brightwater by Hearthside Homes was built with the assumption the OS-P designation was in effect. The plans for Shea Parkside were approved with the assumption the OS-P designation was in effect. If the OS-P designation is overturned, then all previous planning is invalid.

“ALTHOUGH THE PROJECT IS PROPOSING TO AMEND THE GENERAL PLAN LAND USE DESIGNATION, THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN IN TERMS OF FORESEEABLE GROWTH IN THE CITY. IT DOES NOT REPRESENT A SIGNIFICANT NEGATIVE IMPACT TO THE ENVIRONMENT OR GOALS OF THE CITY.”

26) This project is horribly inconsistent “WITH THE GENERAL PLAN IN TERMS OF FORESEEABLE GROWTH IN THE CITY.” See what I wrote above about parkland in relation to projects in the pipeline. Zoning and Plan amendments are being approved right and left in isolation without looking at the larger picture, the larger impact on the city and its residents.

This MND is inconsistent with goal RCS 2 of the City’s General Plan. It prohibits the City from achieving policy RCS 2.1.1 of the General Plan, because 1) it removes useable parkland from the General Plan, and 2) the cumulative impact of removing useable

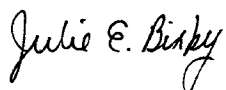
parkland when other development projects in the city have not been developing parkland either but have been submitting in-lieu fees instead. That is a significant negative impact to the city and its citizens.

In summary, this Mitigated Negative Declaration is inadequate in many respects:

- A. It supposes to create a “public benefit” of access which already exists.
- B. The “improvement” claim applies solely to appearance, not to any actual increased access or opportunity for access.
- C. It supposes to create a “public benefit” of utilizing green building techniques, which have no practical effect—positive or negative, short-term or long-term—on the general public it is supposed to benefit.
- D. It does not explain how the eastern slope will be preserved or how dark sky lighting will be enforced.
- E. It does not adequately mitigate potential impacts on raptors and their habitat.
- F. It gives too much leeway to the applicant to choose an archeologist when the applicant has a very poor track record when dealing with archeological (cultural) remains.
- G. It willfully defies Huntington Beach General Plan policies and goals concerning recreation (parkland).
- H. It does not address the piecemeal planning that has been occurring (and continues to occur) in the Bolsa Chica area specifically, and the City of Huntington Beach in general, and does not address the cumulative impacts of several nearby development projects on the Bolsa Chica ecosystem.

An EIR is necessary to address these serious issues.

Sincerely,



Julie E. Bixby
Huntington Beach, CA

ATTACHMENT NO. 4.67

October 2, 2009

Comments on the MND for "The Ridge"

The "Meandering Trail", like the City's opening of the easement that preceded it appears to follow the "Bridge to Nowhere" school of civic planning, i.e. open a thoroughfare to an uncertain destination and then ignore the results. The "Meandering Trail" improvement will no doubt only add to the blight the current dirt path has visited upon the community and the environment.

Effects on the environment:

Before the current dirt path that resulted from the city's easement, this field and the eucalyptus grove was home to red tailed hawks, humming birds, heron, possum, owls and other wildlife. All have fled, the easement has effectively sterilized this last scrap of mesa habitat. A short walk would show it's devastating effects; what was once a recovering natural mesa habitat has been transformed into an urban vacant lot crisscrossed by dusty paths, littered with beer bottles, dog droppings, drug paraphernalia, condoms, and broken glass.

If someone wants access to nature they will not use this path as it only provides access to what is now a unsightly vacant lot. Access to the Bolsa Chica wetlands is already provided by the entrance a hundred yards away at the end of Bolsa Chica Avenue and at Graham, as well as Glenroy Drive. The current pathway simply serves as:

- A minor shortcut for those wishing to walk from the south end of Graham to the west end of Warner.
- A dirt track for motorbikes and motor skateboards.
- A place to walk dogs without having to cleanup after them.
- An unlit, unpatrolled and unsupervised hang out for local youths and the homeless at night.

Ironic that in lieu of any real planning an easement that should have provided access to a natural habitat should be the instrument of it's destruction.

Effects on the community:

Before the easement the area was host to the occasional bird watcher or nature lover. Since the easement has wiped all traces of nature, the bird watchers have been replaced by motorbikes and dog walkers during the day and at night local youths looking for a dark place to party and the occasional homeless person. This new group of visitors are considerably more noisy than the birdwatchers. The dirt path is just a few yards away from the bedroom windows of over a dozen homes. Unlike a park which is patrolled and has restrictions on late night use, people can use this pathway at any hour talking, singing, or yelling freely...and they do. Residents have learned that they must keep shut their windows shut, which is probably a good thing since lone figures can be seen peering into the bedroom windows at night from time to time.

ATTACHMENT NO. 4.68

Effects on the Ridge's bottom line:

There will be a cost to keep these areas clean and well maintained. When prospective homeowners look out through second floor windows or walk around the property they will probably not miss the litter strewn vacant lot that is adjacent. They may even be treated to a motorbike ripping up the "Meandering Trail" tastefully landscaped and decorated with dozens of dog droppings and beer bottles. The valuations of the Ridges' homes will be affected by what lies outside it's walls.

Solution:

Rather than building upon an already bad idea, by upgrading the dirt path easement, close it down. Police won't be continually called out as they are now resulting in motorcycle police riding along the trail or noisy police helicopters hovering overhead at night. The Ridge could benefit from having a quiet Bolsa Chica Mesa meadow, a small sanctuary for wildlife in it's backyard, or it can struggle to maintain what has already proven to be a blight on the community.